

26 | by the act; amending s. 39.0139, F.S.; conforming
27 | provisions to changes made by the act; amending s.
28 | 39.202, F.S.; requiring that certain confidential
29 | records be released to the guardian ad litem and
30 | attorney ad litem; conforming a cross-reference;
31 | amending s. 39.402, F.S.; requiring parents to consent
32 | to provide certain information to the guardian ad
33 | litem and attorney ad litem; conforming provisions to
34 | changes made by the act; amending s. 39.4022, F.S.;
35 | revising the participants who must be invited to a
36 | multidisciplinary team staffing; amending s. 39.4023,
37 | F.S.; requiring notice of a multidisciplinary team
38 | staffing be provided to a child's guardian ad litem
39 | and attorney ad litem; conforming provisions to
40 | changes made by the act; amending s. 39.407, F.S.;
41 | conforming provisions to changes made by the act;
42 | amending s. 39.4085, F.S.; providing a goal of
43 | permanency; conforming provisions to changes made by
44 | the act; amending ss. 39.502 and 39.522, F.S.;
45 | conforming provisions to changes made by the act;
46 | amending s. 39.6012, F.S.; requiring a case plan to
47 | include written descriptions of certain activities;
48 | conforming a cross-reference; creating s. 39.6036,
49 | F.S.; providing legislative findings and intent;
50 | requiring the Statewide Guardian ad Litem Office to

51 work with certain children to identify a supportive
52 adult to enter into a specified agreement; requiring
53 such agreement be documented in the child's court
54 file; requiring the office to coordinate with the
55 Office of Continuing Care for a specified purpose;
56 amending s. 39.621, F.S.; conforming provisions to
57 changes made by the act; amending s. 39.6241, F.S.;
58 requiring a guardian ad litem to advise the court
59 regarding certain information and to ensure a certain
60 agreement has been documented in the child's court
61 file; amending s. 39.701, F.S.; requiring certain
62 notice be given to an attorney ad litem; requiring a
63 court to give a guardian ad litem an opportunity to
64 address the court in certain proceedings; requiring
65 the court to inquire and determine if a child has a
66 certain agreement documented in his or her court file
67 at a specified hearing; conforming provisions to
68 changes made by the act; amending s. 39.801, F.S.;
69 conforming provisions to changes made by the act;
70 amending s. 39.807, F.S.; requiring a court to appoint
71 a guardian ad litem to represent a child; revising a
72 guardian ad litem's responsibilities and authorities;
73 deleting provisions relating to bonds and service of
74 pleadings or papers; amending s. 39.808, F.S.;
75 conforming provisions to changes made by the act;

76 | amending s. 39.815, F.S.; conforming provisions to
77 | changes made by the act; repealing s. 39.820, F.S.,
78 | relating to definitions of the terms "guardian ad
79 | litem" and "guardian advocate"; amending s. 39.821,
80 | F.S.; conforming provisions to changes made by the
81 | act; amending s. 39.822, F.S.; providing that a
82 | guardian ad litem is a fiduciary and must provide
83 | independent representation to a child; revising
84 | responsibilities of a guardian ad litem; requiring
85 | that guardians ad litem have certain access to the
86 | children the guardians ad litem represent; providing
87 | actions that a guardian ad litem does or does not have
88 | to fulfill; amending s. 39.827, F.S.; authorizing a
89 | child's guardian ad litem and attorney ad litem to
90 | inspect certain records; amending s. 39.8296, F.S.;
91 | revising the duties and appointment of the executive
92 | director of the Statewide Guardian ad Litem Office;
93 | requiring the training program for guardians ad litem
94 | to be updated regularly; requiring the office to
95 | provide oversight and technical assistance to
96 | attorneys ad litem; specifying certain requirements of
97 | the office; amending s. 39.8297, F.S.; conforming
98 | provisions to changes made by the act; amending s.
99 | 414.56, F.S.; requiring the Office of Continuing Care
100 | to work in coordination with the Statewide Guardian ad

101 Litem Office for a specified purpose; creating s.
 102 1009.898, F.S.; authorizing the Fostering Prosperity
 103 program to provide certain grants to youth and young
 104 adults who are aging out of foster care; requiring
 105 grants to extend for a certain period of time after a
 106 recipient is reunited with his or her parents;
 107 requiring the State Board of Education to adopt rules;
 108 amending ss. 29.008, 39.6011, 40.24, 43.16, 61.402,
 109 110.205, 320.08058, 943.053, 985.43, 985.441, 985.455,
 110 985.461, and 985.48, F.S.; conforming provisions to
 111 changes made by the act; amending ss. 39.302, 39.521,
 112 61.13, 119.071, 322.09, 394.495, 627.746, 934.255, and
 113 960.065, F.S.; conforming cross-references; providing
 114 a directive to the Division of Law Revision; providing
 115 an effective date;

116
 117 Be It Enacted by the Legislature of the State of Florida:

118
 119 Section 1. Paragraph (j) of subsection (1), paragraph (j)
 120 of subsection (3), and paragraph (a) of subsection (10) of
 121 section 39.001, Florida Statutes, are amended to read:

122 39.001 Purposes and intent; personnel standards and
 123 screening.—

124 (1) PURPOSES OF CHAPTER.—The purposes of this chapter are:

125 (j) To ensure that, when reunification or adoption is not

126 possible, the child will be prepared for alternative permanency
127 goals or placements, to include, but not be limited to, long-
128 term foster care, independent living, custody to a relative on a
129 permanent basis with or without legal guardianship, or custody
130 to a foster parent or legal custodian on a permanent basis with
131 or without legal guardianship. Permanency for a child who is
132 transitioning from foster care to independent living includes
133 naturally occurring, lifelong, kin-like connections between the
134 child and a supportive adult.

135 (3) GENERAL PROTECTIONS FOR CHILDREN.—It is a purpose of
136 the Legislature that the children of this state be provided with
137 the following protections:

138 (j) The ability to contact their guardian ad litem and ~~or~~
139 attorney ad litem, if one is appointed, by having that
140 individual's name entered on all orders of the court.

141 (10) PLAN FOR COMPREHENSIVE APPROACH.—

142 (a) The office shall develop a state plan for the
143 promotion of adoption, support of adoptive families, and
144 prevention of abuse, abandonment, and neglect of children. The
145 Department of Children and Families, the Department of
146 Corrections, the Department of Education, the Department of
147 Health, the Department of Juvenile Justice, the Department of
148 Law Enforcement, the Statewide Guardian ad Litem Office, and the
149 Agency for Persons with Disabilities shall participate and fully
150 cooperate in the development of the state plan at both the state

151 and local levels. Furthermore, appropriate local agencies and
 152 organizations shall be provided an opportunity to participate in
 153 the development of the state plan at the local level.

154 Appropriate local groups and organizations shall include, but
 155 not be limited to, community mental health centers; circuit
 156 guardian ad litem offices ~~programs for children under the~~
 157 ~~circuit court~~; the school boards of the local school districts;
 158 the Florida local advocacy councils; community-based care lead
 159 agencies; private or public organizations or programs with
 160 recognized expertise in working with child abuse prevention
 161 programs for children and families; private or public
 162 organizations or programs with recognized expertise in working
 163 with children who are sexually abused, physically abused,
 164 emotionally abused, abandoned, or neglected and with expertise
 165 in working with the families of such children; private or public
 166 programs or organizations with expertise in maternal and infant
 167 health care; multidisciplinary Child Protection Teams; child day
 168 care centers; law enforcement agencies; and the circuit courts,
 169 ~~when guardian ad litem programs are not available in the local~~
 170 ~~area~~. The state plan to be provided to the Legislature and the
 171 Governor shall include, as a minimum, the information required
 172 of the various groups in paragraph (b).

173 Section 2. Subsection (2) of section 39.00145, Florida
 174 Statutes, is amended to read:

175 39.00145 Records concerning children.—

176 (2) Notwithstanding any other provision of this chapter,
177 all records in a child's case record must be made available for
178 inspection, upon request, to the child who is the subject of the
179 case record and to the child's caregiver, guardian ad litem, or
180 attorney ad litem, if one is appointed.

181 (a) A complete and accurate copy of any record in a
182 child's case record must be provided, upon request and at no
183 cost, to the child who is the subject of the case record and to
184 the child's caregiver, guardian ad litem, or attorney ad litem,
185 if one is appointed.

186 (b) The department shall release the information in a
187 manner and setting that are appropriate to the age and maturity
188 of the child and the nature of the information being released,
189 which may include the release of information in a therapeutic
190 setting, if appropriate. This paragraph does not deny the child
191 access to his or her records.

192 (c) If a child or the child's caregiver, guardian ad
193 litem, or attorney ad litem, if one is appointed, requests
194 access to the child's case record, any person or entity that
195 fails to provide any record in the case record under assertion
196 of a claim of exemption from the public records requirements of
197 chapter 119, or fails to provide access within a reasonable
198 time, is subject to sanctions and penalties under s. 119.10.

199 (d) For the purposes of this subsection, the term
200 "caregiver" is limited to parents, legal custodians, permanent

201 guardians, or foster parents; employees of a residential home,
 202 institution, facility, or agency at which the child resides; and
 203 other individuals legally responsible for a child's welfare in a
 204 residential setting.

205 Section 3. Paragraph (a) of subsection (2) of section
 206 39.00146, Florida Statutes, is amended to read:

207 39.00146 Case record face sheet.—

208 (2) The case record of every child under the supervision
 209 or in the custody of the department or the department's
 210 authorized agents, including community-based care lead agencies
 211 and their subcontracted providers, must include a face sheet
 212 containing relevant information about the child and his or her
 213 case, including at least all of the following:

214 (a) General case information, including, but not limited
 215 to, all of the following:

216 1. The child's name and date of birth~~.~~.

217 2. The current county of residence and the county of
 218 residence at the time of the referral~~.~~.

219 3. The reason for the referral and any family safety
 220 concerns~~.~~.

221 4. The personal identifying information of the parents or
 222 legal custodians who had custody of the child at the time of the
 223 referral, including name, date of birth, and county of
 224 residence~~.~~.

225 5. The date of removal from the home~~.~~.~~and~~

226 6. The name and contact information of the attorney or
 227 attorneys assigned to the case in all capacities, including the
 228 attorney or attorneys that represent the department and the
 229 parents, and the guardian ad litem, ~~if one has been appointed.~~

230 Section 4. Paragraph (b) of subsection (2) and paragraph
 231 (b) of subsection (3) of section 39.0016, Florida Statutes, are
 232 amended to read:

233 39.0016 Education of abused, neglected, and abandoned
 234 children; agency agreements; children having or suspected of
 235 having a disability.—

236 (2) AGENCY AGREEMENTS.—

237 (b) The department shall enter into agreements with
 238 district school boards or other local educational entities
 239 regarding education and related services for children known to
 240 the department who are of school age and children known to the
 241 department who are younger than school age but who would
 242 otherwise qualify for services from the district school board.
 243 Such agreements must ~~shall~~ include, but are not limited to:

244 1. A requirement that the department shall:

245 a. Ensure that children known to the department are
 246 enrolled in school or in the best educational setting that meets
 247 the needs of the child. The agreement must ~~shall~~ provide for
 248 continuing the enrollment of a child known to the department at
 249 the school of origin when possible if it is in the best interest
 250 of the child, with the goal of minimal disruption of education.

251 b. Notify the school and school district in which a child
 252 known to the department is enrolled of the name and phone number
 253 of the child known to the department caregiver and caseworker
 254 for child safety purposes.

255 c. Establish a protocol for the department to share
 256 information about a child known to the department with the
 257 school district, consistent with the Family Educational Rights
 258 and Privacy Act, since the sharing of information will assist
 259 each agency in obtaining education and related services for the
 260 benefit of the child. The protocol must require the district
 261 school boards or other local educational entities to access the
 262 department's Florida Safe Families Network to obtain information
 263 about children known to the department, consistent with the
 264 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
 265 1232g.

266 d. Notify the school district of the department's case
 267 planning for a child known to the department, both at the time
 268 of plan development and plan review. Within the plan development
 269 or review process, the school district may provide information
 270 regarding the child known to the department if the school
 271 district deems it desirable and appropriate.

272 e. Show no prejudice against a caregiver who desires to
 273 educate at home a child placed in his or her home through the
 274 child welfare system.

275 2. A requirement that the district school board shall:

276 a. Provide the department with a general listing of the
277 services and information available from the district school
278 board to facilitate educational access for a child known to the
279 department.

280 b. Identify all educational and other services provided by
281 the school and school district which the school district
282 believes are reasonably necessary to meet the educational needs
283 of a child known to the department.

284 c. Determine whether transportation is available for a
285 child known to the department when such transportation will
286 avoid a change in school assignment due to a change in
287 residential placement. Recognizing that continued enrollment in
288 the same school throughout the time the child known to the
289 department is in out-of-home care is preferable unless
290 enrollment in the same school would be unsafe or otherwise
291 impractical, the department, the district school board, and the
292 Department of Education shall assess the availability of
293 federal, charitable, or grant funding for such transportation.

294 d. Provide individualized student intervention or an
295 individual educational plan when a determination has been made
296 through legally appropriate criteria that intervention services
297 are required. The intervention or individual educational plan
298 must include strategies to enable the child known to the
299 department to maximize the attainment of educational goals.

300 3. A requirement that the department and the district

301 school board shall cooperate in accessing the services and
302 supports needed for a child known to the department who has or
303 is suspected of having a disability to receive an appropriate
304 education consistent with the Individuals with Disabilities
305 Education Act and state implementing laws, rules, and
306 assurances. Coordination of services for a child known to the
307 department who has or is suspected of having a disability may
308 include:

309 a. Referral for screening.

310 b. Sharing of evaluations between the school district and
311 the department where appropriate.

312 c. Provision of education and related services appropriate
313 for the needs and abilities of the child known to the
314 department.

315 d. Coordination of services and plans between the school
316 and the residential setting to avoid duplication or conflicting
317 service plans.

318 e. Appointment of a surrogate parent, consistent with the
319 Individuals with Disabilities Education Act and pursuant to
320 subsection (3), for educational purposes for a child known to
321 the department who qualifies.

322 f. For each child known to the department 14 years of age
323 and older, transition planning by the department and all
324 providers, including the department's independent living program
325 staff and the guardian ad litem of the child, to meet the

326 requirements of the local school district for educational
 327 purposes.

328 (3) CHILDREN HAVING OR SUSPECTED OF HAVING A DISABILITY.—

329 (b)1. Each district school superintendent or dependency
 330 court must appoint a surrogate parent for a child known to the
 331 department who has or is suspected of having a disability, as
 332 defined in s. 1003.01(9), when:

333 a. After reasonable efforts, no parent can be located; or

334 b. A court of competent jurisdiction over a child under
 335 this chapter has determined that no person has the authority
 336 under the Individuals with Disabilities Education Act, including
 337 the parent or parents subject to the dependency action, or that
 338 no person has the authority, willingness, or ability to serve as
 339 the educational decisionmaker for the child without judicial
 340 action.

341 2. A surrogate parent appointed by the district school
 342 superintendent or the court must be at least 18 years old and
 343 have no personal or professional interest that conflicts with
 344 the interests of the student to be represented. Neither the
 345 district school superintendent nor the court may appoint an
 346 employee of the Department of Education, the local school
 347 district, a community-based care provider, the Department of
 348 Children and Families, or any other public or private agency
 349 involved in the education or care of the child as appointment of
 350 those persons is prohibited by federal law. This prohibition

351 includes group home staff and therapeutic foster parents.
352 However, a person who acts in a parental role to a child, such
353 as a foster parent or relative caregiver, is not prohibited from
354 serving as a surrogate parent if he or she is employed by such
355 agency, willing to serve, and knowledgeable about the child and
356 the exceptional student education process. The surrogate parent
357 may be a court-appointed guardian ad litem or a relative or
358 nonrelative adult who is involved in the child's life regardless
359 of whether that person has physical custody of the child. Each
360 person appointed as a surrogate parent must have the knowledge
361 and skills acquired by successfully completing training using
362 materials developed and approved by the Department of Education
363 to ensure adequate representation of the child.

364 ~~3. If a guardian ad litem has been appointed for a child,~~
365 The district school superintendent must first consider the
366 child's guardian ad litem when appointing a surrogate parent.
367 The district school superintendent must accept the appointment
368 of the court if he or she has not previously appointed a
369 surrogate parent. Similarly, the court must accept a surrogate
370 parent duly appointed by a district school superintendent.

371 4. A surrogate parent appointed by the district school
372 superintendent or the court must be accepted by any subsequent
373 school or school district without regard to where the child is
374 receiving residential care so that a single surrogate parent can
375 follow the education of the child during his or her entire time

376 in state custody. Nothing in this paragraph or in rule shall
377 limit or prohibit the continuance of a surrogate parent
378 appointment when the responsibility for the student's
379 educational placement moves among and between public and private
380 agencies.

381 5. For a child known to the department, the responsibility
382 to appoint a surrogate parent resides with both the district
383 school superintendent and the court with jurisdiction over the
384 child. If the court elects to appoint a surrogate parent, notice
385 shall be provided as soon as practicable to the child's school.
386 At any time the court determines that it is in the best
387 interests of a child to remove a surrogate parent, the court may
388 appoint a new surrogate parent for educational decisionmaking
389 purposes for that child.

390 6. The surrogate parent shall continue in the appointed
391 role until one of the following occurs:

392 a. The child is determined to no longer be eligible or in
393 need of special programs, except when termination of special
394 programs is being contested.

395 b. The child achieves permanency through adoption or legal
396 guardianship and is no longer in the custody of the department.

397 c. The parent who was previously unknown becomes known,
398 whose whereabouts were unknown is located, or who was
399 unavailable is determined by the court to be available.

400 d. The appointed surrogate no longer wishes to represent

401 the child or is unable to represent the child.

402 e. The superintendent of the school district in which the
403 child is attending school, the Department of Education contract
404 designee, or the court that appointed the surrogate determines
405 that the appointed surrogate parent no longer adequately
406 represents the child.

407 f. The child moves to a geographic location that is not
408 reasonably accessible to the appointed surrogate.

409 7. The appointment and termination of appointment of a
410 surrogate under this paragraph shall be entered as an order of
411 the court with a copy of the order provided to the child's
412 school as soon as practicable.

413 8. The person appointed as a surrogate parent under this
414 paragraph must:

415 a. Be acquainted with the child and become knowledgeable
416 about his or her disability and educational needs.

417 b. Represent the child in all matters relating to
418 identification, evaluation, and educational placement and the
419 provision of a free and appropriate education to the child.

420 c. Represent the interests and safeguard the rights of the
421 child in educational decisions that affect the child.

422 9. The responsibilities of the person appointed as a
423 surrogate parent shall not extend to the care, maintenance,
424 custody, residential placement, or any other area not
425 specifically related to the education of the child, unless the

426 same person is appointed by the court for such other purposes.

427 10. A person appointed as a surrogate parent shall enjoy
 428 all of the procedural safeguards afforded a parent with respect
 429 to the identification, evaluation, and educational placement of
 430 a student with a disability or a student who is suspected of
 431 having a disability.

432 11. A person appointed as a surrogate parent shall not be
 433 held liable for actions taken in good faith on behalf of the
 434 student in protecting the special education rights of the child.

435 Section 5. Subsections (8) through (30) and (31) through
 436 (87) of section 39.01, Florida Statutes, are renumbered as
 437 subsections (9) through (31) and (34) through (90),
 438 respectively, present subsections (9), (36), and (58) are
 439 amended, and new subsections (8), (32), and (33) are added to
 440 that section, to read:

441 39.01 Definitions.—When used in this chapter, unless the
 442 context otherwise requires:

443 (8) "Attorney ad litem" means an attorney appointed by the
 444 court to represent a child in a dependency case who has an
 445 attorney-client relationship with the child under the rules
 446 regulating The Florida Bar.

447 (10)~~(9)~~ "Caregiver" means the parent, legal custodian,
 448 permanent guardian, adult household member, or other person
 449 responsible for a child's welfare as defined in subsection
 450 (57)~~(54)~~.

451 (32) "Guardian ad litem" means a person or an entity that
 452 is a fiduciary appointed by the court to represent a child in
 453 any civil, criminal, or administrative proceeding to which the
 454 child is a party, including, but not limited to, under this
 455 chapter, which uses a best interest standard for decisionmaking
 456 and advocacy. For purposes of this chapter, the term includes,
 457 but is not limited to, the Statewide Guardian ad Litem Office,
 458 which includes all circuit guardian ad litem offices and the
 459 duly certified volunteers, staff, and attorneys assigned by the
 460 Statewide Guardian ad Litem Office to represent children; a
 461 court-appointed attorney; or a responsible adult who is
 462 appointed by the court. A guardian ad litem is a party to the
 463 judicial proceeding as a representative of the child and serves
 464 until the jurisdiction of the court over the child terminates or
 465 until excused by the court.

466 (33) "Guardian advocate" means a person appointed by the
 467 court to act on behalf of a drug-dependent newborn under part XI
 468 of this chapter.

469 (39) ~~(36)~~ "Institutional child abuse or neglect" means
 470 situations of known or suspected child abuse or neglect in which
 471 the person allegedly perpetrating the child abuse or neglect is
 472 an employee of a public or private school, public or private day
 473 care center, residential home, institution, facility, or agency
 474 or any other person at such institution responsible for the
 475 child's welfare as defined in subsection (57) ~~(54)~~.

476 ~~(61)(58)~~ "Party" means the parent or parents of the child,
 477 the petitioner, the department, the guardian ad litem ~~or the~~
 478 ~~representative of the guardian ad litem program when the program~~
 479 ~~has been appointed~~, and the child. The presence of the child may
 480 be excused by order of the court when presence would not be in
 481 the child's best interest. Notice to the child may be excused by
 482 order of the court when the age, capacity, or other condition of
 483 the child is such that the notice would be meaningless or
 484 detrimental to the child.

485 Section 6. Subsection (11) of section 39.013, Florida
 486 Statutes, is amended to read:

487 39.013 Procedures and jurisdiction; right to counsel;
 488 guardian ad litem.—

489 (11) The court shall appoint a guardian ad litem at the
 490 earliest possible time to represent a child throughout the
 491 proceedings, including any appeals. The guardian ad litem may
 492 represent the child in proceedings outside of the dependency
 493 case to secure the services and benefits that provide for the
 494 care, safety, and protection of the child ~~encourage the~~
 495 ~~Statewide Guardian Ad Litem Office to provide greater~~
 496 ~~representation to those children who are within 1 year of~~
 497 ~~transferring out of foster care.~~

498 Section 7. Paragraph (b) of subsection (1) of section
 499 39.01305, Florida Statutes, is amended to read:

500 39.01305 Appointment of an attorney for a dependent child

501 with certain special needs.—

502 (1)

503 (b) The Legislature recognizes the existence of
504 organizations that provide attorney representation to children
505 in certain jurisdictions throughout the state. Further, the
506 Statewide Guardian Ad Litem Office ~~Program~~ provides best
507 interest representation for dependent children in every
508 jurisdiction in accordance with state and federal law. The
509 Legislature, therefore, does not intend that funding provided
510 for representation under this section supplant proven and
511 existing organizations representing children. Instead, the
512 Legislature intends that funding provided for representation
513 under this section be an additional resource for the
514 representation of more children in these jurisdictions, to the
515 extent necessary to meet the requirements of this chapter, with
516 the cooperation of existing local organizations or through the
517 expansion of those organizations. The Legislature encourages the
518 expansion of pro bono representation for children. This section
519 is not intended to limit the ability of a pro bono attorney to
520 appear on behalf of a child.

521 Section 8. Subsection (3) of section 39.0132, Florida
522 Statutes, is amended to read:

523 39.0132 Oaths, records, and confidential information.—

524 (3) The clerk shall keep all court records required by
525 this chapter separate from other records of the circuit court.

526 All court records required by this chapter may ~~shall~~ not be open
 527 to inspection by the public. All records may ~~shall~~ be inspected
 528 only upon order of the court by persons deemed by the court to
 529 have a proper interest therein, except that, subject to ~~the~~
 530 ~~provisions of~~ s. 63.162, a child, and the parents of the child
 531 and their attorneys, the guardian ad litem, criminal conflict
 532 and civil regional counsels, law enforcement agencies, ~~and~~ the
 533 department and its designees, and the attorney ad litem, if one
 534 is appointed, ~~shall~~ always have the right to inspect and copy
 535 any official record pertaining to the child. The Justice
 536 Administrative Commission may inspect court dockets required by
 537 this chapter as necessary to audit compensation of court-
 538 appointed attorneys ad litem. If the docket is insufficient for
 539 purposes of the audit, the commission may petition the court for
 540 additional documentation as necessary and appropriate. The court
 541 may permit authorized representatives of recognized
 542 organizations compiling statistics for proper purposes to
 543 inspect and make abstracts from official records, under whatever
 544 conditions upon their use and disposition the court may deem
 545 proper, and may punish by contempt proceedings any violation of
 546 those conditions.

547 Section 9. Paragraph (a) of subsection (3) of section
 548 39.0136, Florida Statutes, is amended to read:

549 39.0136 Time limitations; continuances.—

550 (3) The time limitations in this chapter do not include:

551 (a) Periods of delay resulting from a continuance granted
 552 at the request of the child's counsel, ~~or the child's~~ guardian
 553 ad litem, or attorney ad litem, if one is appointed, ~~if the~~
 554 ~~child is of sufficient capacity to express reasonable consent,~~
 555 ~~at the request or with the consent of the child.~~ The court must
 556 consider the best interests of the child when determining
 557 periods of delay under this section.

558 Section 10. Subsection (7) of section 39.01375, Florida
 559 Statutes, is amended to read:

560 39.01375 Best interest determination for placement.—The
 561 department, community-based care lead agency, or court shall
 562 consider all of the following factors when determining whether a
 563 proposed placement under this chapter is in the child's best
 564 interest:

565 (7) The recommendation of the child's guardian ad litem, ~~if~~
 566 ~~one has been appointed.~~

567 Section 11. Paragraphs (a) and (b) of subsection (4) of
 568 section 39.0139, Florida Statutes, are amended to read:

569 39.0139 Visitation or other contact; restrictions.—

570 (4) HEARINGS.—A person who meets any of the criteria set
 571 forth in paragraph (3) (a) who seeks to begin or resume contact
 572 with the child victim shall have the right to an evidentiary
 573 hearing to determine whether contact is appropriate.

574 (a) Before ~~Prior to~~ the hearing, the court shall appoint
 575 ~~an attorney ad litem or~~ a guardian ad litem for the child if one

576 | has not already been appointed. The guardian ad litem and Any
 577 | attorney ad litem, if one is ~~or guardian ad litem~~ appointed,
 578 | must ~~shall~~ have special training in the dynamics of child sexual
 579 | abuse.

580 | (b) At the hearing, the court may receive and rely upon
 581 | any relevant and material evidence submitted to the extent of
 582 | its probative value, including written and oral reports or
 583 | recommendations from the Child Protection Team, the child's
 584 | therapist, the child's guardian ad litem, or the child's
 585 | attorney ad litem, if one is appointed, even if these reports,
 586 | recommendations, and evidence may not be admissible under the
 587 | rules of evidence.

588 | Section 12. Paragraphs (d) and (t) of subsection (2) of
 589 | section 39.202, Florida Statutes, are amended to read:

590 | 39.202 Confidentiality of reports and records in cases of
 591 | child abuse or neglect; exception.—

592 | (2) Except as provided in subsection (4), access to such
 593 | records, excluding the name of, or other identifying information
 594 | with respect to, the reporter which may only ~~shall~~ be released
 595 | ~~only~~ as provided in subsection (5), may only ~~shall~~ be granted
 596 | ~~only~~ to the following persons, officials, and agencies:

597 | (d) The parent or legal custodian of any child who is
 598 | alleged to have been abused, abandoned, or neglected; the child;
 599 | the child's guardian ad litem; the child's attorney ad litem, if
 600 | one is appointed; or, ~~and the child, and their attorneys,~~

601 ~~including~~ any attorney representing a child in civil or criminal
 602 proceedings. This access must ~~shall~~ be made available no later
 603 than 60 days after the department receives the initial report of
 604 abuse, neglect, or abandonment. However, any information
 605 otherwise made confidential or exempt by law may ~~shall~~ not be
 606 released pursuant to this paragraph.

607 (t) Persons with whom the department is seeking to place
 608 the child or to whom placement has been granted, including
 609 foster parents for whom an approved home study has been
 610 conducted, the designee of a licensed child-caring agency as
 611 defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or
 612 nonrelative with whom a child is placed pursuant to s. 39.402,
 613 preadoptive parents for whom a favorable preliminary adoptive
 614 home study has been conducted, adoptive parents, or an adoption
 615 entity acting on behalf of preadoptive or adoptive parents.

616 Section 13. Paragraph (c) of subsection (8), paragraphs
 617 (b) and (c) of subsection (11), and paragraph (a) of subsection
 618 (14) of section 39.402, Florida Statutes, are amended to read:

619 39.402 Placement in a shelter.—

620 (8)

621 (c) At the shelter hearing, the court shall:

622 1. Appoint a guardian ad litem to represent the best
 623 interest of the child, ~~unless the court finds that such~~
 624 ~~representation is unnecessary;~~

625 2. Inform the parents or legal custodians of their right

626 to counsel to represent them at the shelter hearing and at each
627 subsequent hearing or proceeding, and the right of the parents
628 to appointed counsel, pursuant to the procedures set forth in s.
629 39.013;

630 3. Give the parents or legal custodians an opportunity to
631 be heard and to present evidence; and

632 4. Inquire of those present at the shelter hearing as to
633 the identity and location of the legal father. In determining
634 who the legal father of the child may be, the court shall
635 inquire under oath of those present at the shelter hearing
636 whether they have any of the following information:

637 a. Whether the mother of the child was married at the
638 probable time of conception of the child or at the time of birth
639 of the child.

640 b. Whether the mother was cohabiting with a male at the
641 probable time of conception of the child.

642 c. Whether the mother has received payments or promises of
643 support with respect to the child or because of her pregnancy
644 from a man who claims to be the father.

645 d. Whether the mother has named any man as the father on
646 the birth certificate of the child or in connection with
647 applying for or receiving public assistance.

648 e. Whether any man has acknowledged or claimed paternity
649 of the child in a jurisdiction in which the mother resided at
650 the time of or since conception of the child or in which the

651 child has resided or resides.

652 f. Whether a man is named on the birth certificate of the
653 child pursuant to s. 382.013(2).

654 g. Whether a man has been determined by a court order to
655 be the father of the child.

656 h. Whether a man has been determined to be the father of
657 the child by the Department of Revenue as provided in s.
658 409.256.

659 (11)

660 (b) The court shall request that the parents consent to
661 provide access to the child's medical records and provide
662 information to the court, the department or its contract
663 agencies, and the any guardian ad litem and ~~or~~ attorney ad
664 litem, if one is appointed, for the child. If a parent is
665 unavailable or unable to consent or withholds consent and the
666 court determines access to the records and information is
667 necessary to provide services to the child, the court shall
668 issue an order granting access. The court may also order the
669 parents to provide all known medical information to the
670 department and to any others granted access under this
671 subsection.

672 (c) The court shall request that the parents consent to
673 provide access to the child's child care records, early
674 education program records, or other educational records and
675 provide information to the court, the department or its contract

676 agencies, and the ~~any~~ guardian ad litem and ~~or~~ attorney ad
 677 litem, if one is appointed, for the child. If a parent is
 678 unavailable or unable to consent or withholds consent and the
 679 court determines access to the records and information is
 680 necessary to provide services to the child, the court shall
 681 issue an order granting access.

682 (14) The time limitations in this section do not include:

683 (a) Periods of delay resulting from a continuance granted
 684 at the request or with the consent of the child's ~~counsel or the~~
 685 ~~child's~~ guardian ad litem or attorney ad litem, if one is ~~has~~
 686 ~~been~~ appointed by the court, ~~or, if the child is of sufficient~~
 687 ~~capacity to express reasonable consent, at the request or with~~
 688 ~~the consent of the child's attorney or the child's guardian ad~~
 689 ~~litem, if one has been appointed by the court, and the child.~~

690 Section 14. Paragraphs (a) and (b) of subsection (4) of
 691 section 39.4022, Florida Statutes, are amended to read:

692 39.4022 Multidisciplinary teams; staffings; assessments;
 693 report.—

694 (4) PARTICIPANTS.—

695 (a) Collaboration among diverse individuals who are part
 696 of the child's network is necessary to make the most informed
 697 decisions possible for the child. A diverse team is preferable
 698 to ensure that the necessary combination of technical skills,
 699 cultural knowledge, community resources, and personal
 700 relationships is developed and maintained for the child and

701 family. The participants necessary to achieve an appropriately
702 diverse team for a child may vary by child and may include
703 extended family, friends, neighbors, coaches, clergy, coworkers,
704 or others the family identifies as potential sources of support.

705 1. Each multidisciplinary team staffing must invite the
706 following members:

707 a. The child, unless he or she is not of an age or
708 capacity to participate in the team, and the child's guardian ad
709 litem;

710 b. The child's family members and other individuals
711 identified by the family as being important to the child,
712 provided that a parent who has a no contact order or injunction,
713 is alleged to have sexually abused the child, or is subject to a
714 termination of parental rights may not participate;

715 c. The current caregiver, provided the caregiver is not a
716 parent who meets the criteria of one of the exceptions under
717 sub-subparagraph b.;

718 d. A representative from the department other than the
719 Children's Legal Services attorney, when the department is
720 directly involved in the goal identified by the staffing;

721 e. A representative from the community-based care lead
722 agency, when the lead agency is directly involved in the goal
723 identified by the staffing;

724 f. The case manager for the child, or his or her case
725 manager supervisor; and

726 g. A representative from the Department of Juvenile
 727 Justice, if the child is dually involved with both the
 728 department and the Department of Juvenile Justice.

729 2. The multidisciplinary team must make reasonable efforts
 730 to have all mandatory invitees attend. However, the
 731 multidisciplinary team staffing may not be delayed if the
 732 invitees in subparagraph 1. fail to attend after being provided
 733 reasonable opportunities.

734 (b) Based on the particular goal the multidisciplinary
 735 team staffing identifies as the purpose of convening the
 736 staffing as provided under subsection (5), the department or
 737 lead agency may also invite to the meeting other professionals,
 738 including, but not limited to:

739 1. A representative from Children's Medical Services;

740 ~~2. A guardian ad litem, if one is appointed;~~

741 2.3. A school personnel representative who has direct
 742 contact with the child;

743 3.4. A therapist or other behavioral health professional,
 744 if applicable;

745 4.5. A mental health professional with expertise in
 746 sibling bonding, if the department or lead agency deems such
 747 expert is necessary; or

748 5.6. Other community providers of services to the child or
 749 stakeholders, when applicable.

750 Section 15. Paragraph (d) of subsection (3) and paragraph

751 (c) of subsection (4) of section 39.4023, Florida Statutes, are
 752 amended to read:

753 39.4023 Placement and education transitions; transition
 754 plans.—

755 (3) PLACEMENT TRANSITIONS.—

756 (d) Transition planning.—

757 1. If the supportive services provided pursuant to
 758 paragraph (c) have not been successful to make the maintenance
 759 of the placement suitable or if there are other circumstances
 760 that require the child to be moved, the department or the
 761 community-based care lead agency must convene a
 762 multidisciplinary team staffing as required under s. 39.4022
 763 before the child's placement is changed, or within 72 hours of
 764 moving the child in an emergency situation, for the purpose of
 765 developing an appropriate transition plan.

766 2. A placement change may occur immediately in an
 767 emergency situation without convening a multidisciplinary team
 768 staffing. However, a multidisciplinary team staffing must be
 769 held within 72 hours after the emergency situation arises.

770 3. The department or the community-based care lead agency
 771 must provide written notice of the planned move at least 14 days
 772 before the move or within 72 hours after an emergency situation,
 773 to the greatest extent possible and consistent with the child's
 774 needs and preferences. The notice must include the reason a
 775 placement change is necessary. A copy of the notice must be

776 filed with the court and be provided to all of the following:

777 a. The child, unless he or she, due to age or capacity, is

778 unable to comprehend the written notice, which will necessitate

779 the department or lead agency to provide notice in an age-

780 appropriate and capacity-appropriate alternative manner.†

781 b. The child's parents, unless prohibited by court order.†

782 c. The child's out-of-home caregiver.†

783 d. The guardian ad litem.†~~if one is appointed;~~

784 e. The attorney ad litem for the child, if one is

785 appointed.†~~and~~

786 f. The attorney for the department.

787 4. The transition plan must be developed through

788 cooperation among the persons included in subparagraph 3., and

789 such persons must share any relevant information necessary for

790 its development. Subject to the child's needs and preferences,

791 the transition plan must meet the requirements of s.

792 409.1415(2)(b)8. and exclude any placement changes that occur

793 between 7 p.m. and 8 a.m.

794 5. The department or the community-based care lead agency

795 shall file the transition plan with the court within 48 hours

796 after the creation of such plan and provide a copy of the plan

797 to the persons included in subparagraph 3.

798 (4) EDUCATION TRANSITIONS.—

799 (c) Minimizing school changes.—

800 1. Every effort must be made to keep a child in the school

801 of origin if it is in the child's best interest. Any placement
802 decision must include thoughtful consideration of which school a
803 child will attend if a school change is necessary.

804 2. Members of a multidisciplinary team staffing convened
805 for a purpose other than a school change must determine the
806 child's best interest regarding remaining in the school or
807 program of origin if the child's educational options are
808 affected by any other decision being made by the
809 multidisciplinary team.

810 3. The determination of whether it is in the child's best
811 interest to remain in the school of origin, and if not, of which
812 school the child will attend in the future, must be made in
813 consultation with the following individuals, including, but not
814 limited to, the child; the parents; the caregiver; the child
815 welfare professional; the guardian ad litem, ~~if appointed~~; the
816 educational surrogate, if appointed; child care and educational
817 staff, including teachers and guidance counselors; and the
818 school district representative or foster care liaison. A
819 multidisciplinary team member may contact any of these
820 individuals in advance of a multidisciplinary team staffing to
821 obtain his or her recommendation. An individual may remotely
822 attend the multidisciplinary team staffing if one of the
823 identified goals is related to determining an educational
824 placement. The multidisciplinary team may rely on a report from
825 the child's current school or program district and, if

826 applicable, any other school district being considered for the
827 educational placement if the required school personnel are not
828 available to attend the multidisciplinary team staffing in
829 person or remotely.

830 4. The multidisciplinary team and the individuals listed
831 in subparagraph 3. must consider, at a minimum, all of the
832 following factors when determining whether remaining in the
833 school or program of origin is in the child's best interest or,
834 if not, when selecting a new school or program:

835 a. The child's desire to remain in the school or program
836 of origin.

837 b. The preference of the child's parents or legal
838 guardians.

839 c. Whether the child has siblings, close friends, or
840 mentors at the school or program of origin.

841 d. The child's cultural and community connections in the
842 school or program of origin.

843 e. Whether the child is suspected of having a disability
844 under the Individuals with Disabilities Education Act (IDEA) or
845 s. 504 of the Rehabilitation Act of 1973, or has begun receiving
846 interventions under this state's multitiered system of supports.

847 f. Whether the child has an evaluation pending for special
848 education and related services under IDEA or s. 504 of the
849 Rehabilitation Act of 1973.

850 g. Whether the child is a student with a disability under

851 IDEA who is receiving special education and related services or
852 a student with a disability under s. 504 of the Rehabilitation
853 Act of 1973 who is receiving accommodations and services and, if
854 so, whether those required services are available in a school or
855 program other than the school or program of origin.

856 h. Whether the child is an English Language Learner
857 student and is receiving language services and, if so, whether
858 those required services are available in a school or program
859 other than the school or program of origin.

860 i. The impact a change to the school or program of origin
861 would have on academic credits and progress toward promotion.

862 j. The availability of extracurricular activities
863 important to the child.

864 k. The child's known individualized educational plan or
865 other medical and behavioral health needs and whether such plan
866 or needs are able to be met at a school or program other than
867 the school or program of origin.

868 l. The child's permanency goal and timeframe for achieving
869 permanency.

870 m. The child's history of school transfers and how such
871 transfers have impacted the child academically, emotionally, and
872 behaviorally.

873 n. The length of the commute to the school or program from
874 the child's home or placement and how such commute would impact
875 the child.

876 o. The length of time the child has attended the school or
877 program of origin.

878 5. The cost of transportation cannot be a factor in making
879 a best interest determination.

880 Section 16. Paragraph (f) of subsection (3) of section
881 39.407, Florida Statutes, is amended to read:

882 39.407 Medical, psychiatric, and psychological examination
883 and treatment of child; physical, mental, or substance abuse
884 examination of person with or requesting child custody.—

885 (3)

886 (f)1. The department shall fully inform the court of the
887 child's medical and behavioral status as part of the social
888 services report prepared for each judicial review hearing held
889 for a child for whom psychotropic medication has been prescribed
890 or provided under this subsection. As a part of the information
891 provided to the court, the department shall furnish copies of
892 all pertinent medical records concerning the child which have
893 been generated since the previous hearing. On its own motion or
894 on good cause shown by any party, including the ~~any~~ guardian ad
895 litem, ~~attorney,~~ or attorney ad litem, if one is ~~who has been~~
896 ~~appointed to represent the child or the child's interests,~~ the
897 court may review the status more frequently than required in
898 this subsection.

899 2. The court may, in the best interests of the child,
900 order the department to obtain a medical opinion addressing

901 whether the continued use of the medication under the
 902 circumstances is safe and medically appropriate.

903 Section 17. Paragraphs (m), (t), and (u) of subsection (1)
 904 of section 39.4085, Florida Statutes, are amended to read:

905 39.4085 Goals for dependent children; responsibilities;
 906 education; Office of the Children's Ombudsman.—

907 (1) The Legislature finds that the design and delivery of
 908 child welfare services should be directed by the principle that
 909 the health and safety of children, including the freedom from
 910 abuse, abandonment, or neglect, is of paramount concern and,
 911 therefore, establishes the following goals for children in
 912 shelter or foster care:

913 (m) To receive meaningful case management and planning
 914 that will quickly return the child to his or her family or move
 915 the child on to other forms of permanency. For a child who is
 916 transitioning from foster care to independent living, permanency
 917 includes establishing naturally occurring, lifelong, kin-like
 918 connections between the child and a supportive adult.

919 (t) To have a guardian ad litem appointed ~~to represent,~~
 920 ~~within reason, their best interests~~ and, if appropriate, an
 921 attorney ad litem ~~appointed to represent their legal interests;~~
 922 the guardian ad litem and attorney ad litem, if one is
 923 appointed, shall have immediate and unlimited access to the
 924 children they represent.

925 (u) To have all their records available for review by

926 their guardian ad litem and attorney ad litem, if one is
 927 appointed, if they deem such review necessary.

928
 929 This subsection establishes goals and not rights. This
 930 subsection does not require the delivery of any particular
 931 service or level of service in excess of existing
 932 appropriations. A person does not have a cause of action against
 933 the state or any of its subdivisions, agencies, contractors,
 934 subcontractors, or agents, based upon the adoption of or failure
 935 to provide adequate funding for the achievement of these goals
 936 by the Legislature. This subsection does not require the
 937 expenditure of funds to meet the goals established in this
 938 subsection except those funds specifically appropriated for such
 939 purpose.

940 Section 18. Subsection (8) of section 39.502, Florida
 941 Statutes, is amended to read:

942 39.502 Notice, process, and service.—

943 (8) It is not necessary to the validity of a proceeding
 944 covered by this part that the parents be present if their
 945 identity or residence is unknown after a diligent search has
 946 been made; however, ~~but in this event~~ the petitioner must ~~shall~~
 947 file an affidavit of diligent search prepared by the person who
 948 made the search and inquiry, and the court must ~~may~~ appoint a
 949 guardian ad litem for the child if a guardian ad litem has not
 950 previously been appointed.

951 Section 19. Paragraph (c) of subsection (3) of section
952 39.522, Florida Statutes, is amended to read:

953 39.522 Postdisposition change of custody.—

954 (3)

955 (c)1. The department or community-based care lead agency
956 must notify a current caregiver who has been in the physical
957 custody placement for at least 9 consecutive months and who
958 meets all the established criteria in paragraph (b) of an intent
959 to change the physical custody of the child, and a
960 multidisciplinary team staffing must be held in accordance with
961 ss. 39.4022 and 39.4023 at least 21 days before the intended
962 date for the child's change in physical custody, unless there is
963 an emergency situation as defined in s. 39.4022 (2) (b). If there
964 is not a unanimous consensus decision reached by the
965 multidisciplinary team, the department's official position must
966 be provided to the parties within the designated time period as
967 provided for in s. 39.4022.

968 2. A caregiver who objects to the department's official
969 position on the change in physical custody must notify the court
970 and the department or community-based care lead agency of his or
971 her objection and the intent to request an evidentiary hearing
972 in writing in accordance with this section within 5 days after
973 receiving notice of the department's official position provided
974 under subparagraph 1. The transition of the child to the new
975 caregiver may not begin before the expiration of the 5-day

976 period within which the current caregiver may object.

977 3. Upon the department or community-based care lead agency
 978 receiving written notice of the caregiver's objection, the
 979 change to the child's physical custody must be placed in
 980 abeyance and the child may not be transitioned to a new physical
 981 placement without a court order, unless there is an emergency
 982 situation as defined in s. 39.4022(2) (b) .

983 4. Within 7 days after receiving written notice from the
 984 caregiver, the court must conduct an initial case status
 985 hearing, at which time the court must do all of the following:

986 a. Grant party status to the current caregiver who is
 987 seeking permanent custody and has maintained physical custody of
 988 that child for at least 9 continuous months for the limited
 989 purpose of filing a motion for a hearing on the objection and
 990 presenting evidence pursuant to this subsection. †

991 ~~b. Appoint an attorney for the child who is the subject of~~
 992 ~~the permanent custody proceeding, in addition to the guardian ad~~
 993 ~~litem, if one is appointed;†~~

994 ~~b.e.~~ Advise the caregiver of his or her right to retain
 995 counsel for purposes of the evidentiary hearing. † ~~and~~

996 ~~c.d.~~ Appoint a court-selected neutral and independent
 997 licensed professional with expertise in the science and research
 998 of child-parent bonding.

999 Section 20. Paragraph (c) of subsection (1) and paragraph
 1000 (c) of subsection (3) of section 39.6012, Florida Statutes, are

1001 amended to read:

1002 39.6012 Case plan tasks; services.—

1003 (1) The services to be provided to the parent and the
1004 tasks that must be completed are subject to the following:

1005 (c) If there is evidence of harm as defined in s.
1006 39.01(37)(g) ~~s. 39.01(34)(g)~~, the case plan must include as a
1007 required task for the parent whose actions caused the harm that
1008 the parent submit to a substance abuse disorder assessment or
1009 evaluation and participate and comply with treatment and
1010 services identified in the assessment or evaluation as being
1011 necessary.

1012 (3) In addition to any other requirement, if the child is
1013 in an out-of-home placement, the case plan must include:

1014 (c) When appropriate, for a child who is 13 years of age
1015 or older, a written description of the programs and services
1016 that will help the child prepare for the transition from foster
1017 care to independent living. The written description must include
1018 age-appropriate activities for the child's development of
1019 relationships, coping skills, and emotional well-being.

1020 Section 21. Section 39.6036, Florida Statutes, is created
1021 to read:

1022 39.6036 Supportive adults for children transitioning out
1023 of foster care.—

1024 (1) The Legislature finds that a committed, caring adult
1025 provides a lifeline for a child transitioning out of foster care

1026 to live independently. Accordingly, it is the intent of the
1027 Legislature that the Statewide Guardian ad Litem Office help
1028 children connect with supportive adults with the hope of
1029 creating an ongoing relationship that lasts into adulthood.

1030 (2) The Statewide Guardian ad Litem Office shall work with
1031 a child who is transitioning out of foster care to identify at
1032 least one supportive adult with whom the child can enter into a
1033 formal agreement for an ongoing relationship and document such
1034 agreement in the child's court file. If the child cannot
1035 identify a supportive adult, the Statewide Guardian ad Litem
1036 Office shall work in coordination with the Office of Continuing
1037 Care to identify at least one supportive adult with whom the
1038 child can enter into a formal agreement for an ongoing
1039 relationship and document such agreement in the child's court
1040 file.

1041 Section 22. Paragraph (c) of subsection (10) of section
1042 39.621, Florida Statutes, is amended to read:

1043 39.621 Permanency determination by the court.—

1044 (10) The permanency placement is intended to continue
1045 until the child reaches the age of majority and may not be
1046 disturbed absent a finding by the court that the circumstances
1047 of the permanency placement are no longer in the best interest
1048 of the child.

1049 (c) The court shall base its decision concerning any
1050 motion by a parent for reunification or increased contact with a

1051 child on the effect of the decision on the safety, well-being,
 1052 and physical and emotional health of the child. Factors that
 1053 must be considered and addressed in the findings of fact of the
 1054 order on the motion must include:

1055 1. The compliance or noncompliance of the parent with the
 1056 case plan;

1057 2. The circumstances which caused the child's dependency
 1058 and whether those circumstances have been resolved;

1059 3. The stability and longevity of the child's placement;

1060 4. The preferences of the child, if the child is of
 1061 sufficient age and understanding to express a preference;

1062 5. The recommendation of the current custodian; and

1063 6. Any ~~The~~ recommendation of the guardian ad litem, ~~if one~~
 1064 ~~has been appointed.~~

1065 Section 23. Subsection (2) of section 39.6241, Florida
 1066 Statutes, is amended to read:

1067 39.6241 Another planned permanent living arrangement.—

1068 (2) The department and the guardian ad litem must provide
 1069 the court with a recommended list and description of services
 1070 needed by the child, such as independent living services and
 1071 medical, dental, educational, or psychological referrals, and a
 1072 recommended list and description of services needed by his or
 1073 her caregiver. The guardian ad litem must also advise the court
 1074 whether the child has been connected with a supportive adult
 1075 and, if the child has been connected with a supportive adult,

1076 whether the child has entered into a formal agreement with the
 1077 adult. If the child has entered into a formal agreement pursuant
 1078 to s. 39.6036, the guardian ad litem must ensure that the
 1079 agreement is documented in the child's court file.

1080 Section 24. Paragraphs (b) and (f) of subsection (1),
 1081 paragraph (c) of subsection (2), subsection (3), and paragraph
 1082 (e) of subsection (4) of section 39.701, Florida Statutes, are
 1083 amended to read:

1084 39.701 Judicial review.—

1085 (1) GENERAL PROVISIONS.—

1086 (b)1. The court shall retain jurisdiction over a child
 1087 returned to his or her parents for a minimum period of 6 months
 1088 after following ~~the reunification, but, at that time, based on a~~
 1089 ~~report of the social service agency and the guardian ad litem,~~
 1090 ~~if one has been appointed,~~ and any other relevant factors, the
 1091 court shall make a determination as to whether supervision by
 1092 the department and the court's jurisdiction shall continue or be
 1093 terminated.

1094 2. Notwithstanding subparagraph 1., the court must retain
 1095 jurisdiction over a child if the child is placed in the home
 1096 with a parent or caregiver with an in-home safety plan and such
 1097 safety plan remains necessary for the child to reside safely in
 1098 the home.

1099 (f) Notice of a judicial review hearing or a citizen
 1100 review panel hearing, and a copy of the motion for judicial

1101 review, if any, must be served by the clerk of the court upon
 1102 all of the following persons, if available to be served,
 1103 regardless of whether the person was present at the previous
 1104 hearing at which the date, time, and location of the hearing was
 1105 announced:

1106 1. The social service agency charged with the supervision
 1107 of care, custody, or guardianship of the child, if that agency
 1108 is not the movant.

1109 2. The foster parent or legal custodian in whose home the
 1110 child resides.

1111 3. The parents.

1112 4. The guardian ad litem for the child, ~~or the~~
 1113 ~~representative of the guardian ad litem program if the program~~
 1114 ~~has been appointed.~~

1115 5. The attorney ad litem for the child, if one is
 1116 appointed.

1117 6. The child, if the child is 13 years of age or older.

1118 7. Any preadoptive parent.

1119 8. Such other persons as the court may direct.

1120 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
 1121 AGE.—

1122 (c) Review determinations.—The court and any citizen
 1123 review panel shall take into consideration the information
 1124 contained in the social services study and investigation and all
 1125 medical, psychological, and educational records that support the

1126 terms of the case plan; testimony by the social services agency,
1127 the parent, the foster parent or caregiver, the guardian ad
1128 litem, ~~the~~ ~~or~~ surrogate parent for educational decisionmaking if
1129 one has been appointed for the child, and any other person
1130 deemed appropriate; and any relevant and material evidence
1131 submitted to the court, including written and oral reports to
1132 the extent of their probative value. These reports and evidence
1133 may be received by the court in its effort to determine the
1134 action to be taken with regard to the child and may be relied
1135 upon to the extent of their probative value, even though not
1136 competent in an adjudicatory hearing. In its deliberations, the
1137 court and any citizen review panel shall seek to determine:

1138 1. If the parent was advised of the right to receive
1139 assistance from any person or social service agency in the
1140 preparation of the case plan.

1141 2. If the parent has been advised of the right to have
1142 counsel present at the judicial review or citizen review
1143 hearings. If not so advised, the court or citizen review panel
1144 shall advise the parent of such right.

1145 3. If a guardian ad litem needs to be appointed for the
1146 child in a case in which a guardian ad litem has not previously
1147 been appointed ~~or if there is a need to continue a guardian ad~~
1148 ~~litem in a case in which a guardian ad litem has been appointed.~~

1149 4. Who holds the rights to make educational decisions for
1150 the child. If appropriate, the court may refer the child to the

1151 district school superintendent for appointment of a surrogate
1152 parent or may itself appoint a surrogate parent under the
1153 Individuals with Disabilities Education Act and s. 39.0016.

1154 5. The compliance or lack of compliance of all parties
1155 with applicable items of the case plan, including the parents'
1156 compliance with child support orders.

1157 6. The compliance or lack of compliance with a visitation
1158 contract between the parent and the social service agency for
1159 contact with the child, including the frequency, duration, and
1160 results of the parent-child visitation and the reason for any
1161 noncompliance.

1162 7. The frequency, kind, and duration of contacts among
1163 siblings who have been separated during placement, as well as
1164 any efforts undertaken to reunite separated siblings if doing so
1165 is in the best interests of the child.

1166 8. The compliance or lack of compliance of the parent in
1167 meeting specified financial obligations pertaining to the care
1168 of the child, including the reason for failure to comply, if
1169 applicable.

1170 9. Whether the child is receiving safe and proper care
1171 according to s. 39.6012, including, but not limited to, the
1172 appropriateness of the child's current placement, including
1173 whether the child is in a setting that is as family-like and as
1174 close to the parent's home as possible, consistent with the
1175 child's best interests and special needs, and including

1176 maintaining stability in the child's educational placement, as
1177 documented by assurances from the community-based care lead
1178 agency that:

1179 a. The placement of the child takes into account the
1180 appropriateness of the current educational setting and the
1181 proximity to the school in which the child is enrolled at the
1182 time of placement.

1183 b. The community-based care lead agency has coordinated
1184 with appropriate local educational agencies to ensure that the
1185 child remains in the school in which the child is enrolled at
1186 the time of placement.

1187 10. A projected date likely for the child's return home or
1188 other permanent placement.

1189 11. When appropriate, the basis for the unwillingness or
1190 inability of the parent to become a party to a case plan. The
1191 court and the citizen review panel shall determine if the
1192 efforts of the social service agency to secure party
1193 participation in a case plan were sufficient.

1194 12. For a child who has reached 13 years of age but is not
1195 yet 18 years of age, the adequacy of the child's preparation for
1196 adulthood and independent living. For a child who is 15 years of
1197 age or older, the court shall determine if appropriate steps are
1198 being taken for the child to obtain a driver license or
1199 learner's driver license.

1200 13. If amendments to the case plan are required.

1201 Amendments to the case plan must be made under s. 39.6013.

1202 14. If the parents and caregivers have developed a
1203 productive relationship that includes meaningful communication
1204 and mutual support.

1205 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—
1206 At each review hearing held under this subsection, the court
1207 shall give the child and the guardian ad litem the opportunity
1208 to address the court and provide any information relevant to the
1209 child's best interest, particularly in relation to independent
1210 living transition services. The foster parent or legal
1211 custodian, ~~or guardian ad litem~~ may also provide any information
1212 relevant to the child's best interest to the court. In addition
1213 to the review and report required under paragraphs (1)(a) and
1214 (2)(a), respectively, and the review and report required under
1215 s. 39.822(2)(a)2., the court shall:

1216 (a) Inquire about the life skills the child has acquired
1217 and whether those services are age appropriate, at the first
1218 judicial review hearing held subsequent to the child's 16th
1219 birthday. At the judicial review hearing, the department shall
1220 provide the court with a report that includes specific
1221 information related to the life skills that the child has
1222 acquired since the child's 13th birthday or since the date the
1223 child came into foster care, whichever came later. For any child
1224 who may meet the requirements for appointment of a guardian
1225 advocate under s. 393.12 or a guardian under chapter 744, the

1226 updated case plan must be developed in a face-to-face conference
1227 with the child, if appropriate; the child's attorney ad litem,
1228 if one is appointed; the child's; ~~any court-appointed~~ guardian
1229 ad litem; the temporary custodian of the child; and the parent
1230 of the child, if the parent's rights have not been terminated.

1231 (b) The court shall hold a judicial review hearing within
1232 90 days after a child's 17th birthday. The court shall issue an
1233 order, separate from the order on judicial review, that the
1234 disability of nonage of the child has been removed under ss.
1235 743.044-743.047 for any disability that the court finds is in
1236 the child's best interest to remove. The department shall
1237 include in the social study report for the first judicial review
1238 that occurs after the child's 17th birthday written verification
1239 that the child has:

1240 1. A current Medicaid card and all necessary information
1241 concerning the Medicaid program sufficient to prepare the child
1242 to apply for coverage upon reaching the age of 18, if such
1243 application is appropriate.

1244 2. A certified copy of the child's birth certificate and,
1245 if the child does not have a valid driver license, a Florida
1246 identification card issued under s. 322.051.

1247 3. A social security card and information relating to
1248 social security insurance benefits if the child is eligible for
1249 those benefits. If the child has received such benefits and they
1250 are being held in trust for the child, a full accounting of

1251 these funds must be provided and the child must be informed as
1252 to how to access those funds.

1253 4. All relevant information related to the Road-to-
1254 Independence Program under s. 409.1451, including, but not
1255 limited to, eligibility requirements, information on
1256 participation, and assistance in gaining admission to the
1257 program. If the child is eligible for the Road-to-Independence
1258 Program, he or she must be advised that he or she may continue
1259 to reside with the licensed family home or group care provider
1260 with whom the child was residing at the time the child attained
1261 his or her 18th birthday, in another licensed family home, or
1262 with a group care provider arranged by the department.

1263 5. An open bank account or the identification necessary to
1264 open a bank account and to acquire essential banking and
1265 budgeting skills.

1266 6. Information on public assistance and how to apply for
1267 public assistance.

1268 7. A clear understanding of where he or she will be living
1269 on his or her 18th birthday, how living expenses will be paid,
1270 and the educational program or school in which he or she will be
1271 enrolled.

1272 8. Information related to the ability of the child to
1273 remain in care until he or she reaches 21 years of age under s.
1274 39.013.

1275 9. A letter providing the dates that the child is under

1276 | the jurisdiction of the court.

1277 | 10. A letter stating that the child is in compliance with
1278 | financial aid documentation requirements.

1279 | 11. The child's educational records.

1280 | 12. The child's entire health and mental health records.

1281 | 13. The process for accessing the child's case file.

1282 | 14. A statement encouraging the child to attend all
1283 | judicial review hearings.

1284 | 15. Information on how to obtain a driver license or
1285 | learner's driver license.

1286 | (c) At the first judicial review hearing held subsequent
1287 | to the child's 17th birthday, if the court determines pursuant
1288 | to chapter 744 that there is a good faith basis to believe that
1289 | the child qualifies for appointment of a guardian advocate,
1290 | limited guardian, or plenary guardian for the child and that no
1291 | less restrictive decisionmaking assistance will meet the child's
1292 | needs:

1293 | 1. The department shall complete a multidisciplinary
1294 | report which must include, but is not limited to, a psychosocial
1295 | evaluation and educational report if such a report has not been
1296 | completed within the previous 2 years.

1297 | 2. The department shall identify one or more individuals
1298 | who are willing to serve as the guardian advocate under s.
1299 | 393.12 or as the plenary or limited guardian under chapter 744.
1300 | Any other interested parties or participants may make efforts to

1301 identify such a guardian advocate, limited guardian, or plenary
1302 guardian. The child's biological or adoptive family members,
1303 including the child's parents if the parents' rights have not
1304 been terminated, may not be considered for service as the
1305 plenary or limited guardian unless the court enters a written
1306 order finding that such an appointment is in the child's best
1307 interests.

1308 3. Proceedings may be initiated within 180 days after the
1309 child's 17th birthday for the appointment of a guardian
1310 advocate, plenary guardian, or limited guardian for the child in
1311 a separate proceeding in the court division with jurisdiction
1312 over guardianship matters and pursuant to chapter 744. The
1313 Legislature encourages the use of pro bono representation to
1314 initiate proceedings under this section.

1315 4. In the event another interested party or participant
1316 initiates proceedings for the appointment of a guardian
1317 advocate, plenary guardian, or limited guardian for the child,
1318 the department shall provide all necessary documentation and
1319 information to the petitioner to complete a petition under s.
1320 393.12 or chapter 744 within 45 days after the first judicial
1321 review hearing after the child's 17th birthday.

1322 5. Any proceedings seeking appointment of a guardian
1323 advocate or a determination of incapacity and the appointment of
1324 a guardian must be conducted in a separate proceeding in the
1325 court division with jurisdiction over guardianship matters and

1326 pursuant to chapter 744.

1327 (d) If the court finds at the judicial review hearing
1328 after the child's 17th birthday that the department has not met
1329 its obligations to the child as stated in this part, in the
1330 written case plan, or in the provision of independent living
1331 services, the court may issue an order directing the department
1332 to show cause as to why it has not done so. If the department
1333 cannot justify its noncompliance, the court may give the
1334 department 30 days within which to comply. If the department
1335 fails to comply within 30 days, the court may hold the
1336 department in contempt.

1337 (e) If necessary, the court may review the status of the
1338 child more frequently during the year before the child's 18th
1339 birthday. At the last review hearing before the child reaches 18
1340 years of age, and in addition to the requirements of subsection
1341 (2), the court shall:

1342 1. Address whether the child plans to remain in foster
1343 care, and, if so, ensure that the child's transition plan
1344 includes a plan for meeting one or more of the criteria
1345 specified in s. 39.6251 and determine if the child has entered
1346 into a formal agreement for an ongoing relationship with a
1347 supportive adult.

1348 2. Ensure that the transition plan includes a supervised
1349 living arrangement under s. 39.6251.

1350 3. Ensure the child has been informed of:

1351 a. The right to continued support and services from the
 1352 department and the community-based care lead agency.

1353 b. The right to request termination of dependency
 1354 jurisdiction and be discharged from foster care.

1355 c. The opportunity to reenter foster care under s.
 1356 39.6251.

1357 4. Ensure that the child, if he or she requests
 1358 termination of dependency jurisdiction and discharge from foster
 1359 care, has been informed of:

1360 a. Services or benefits for which the child may be
 1361 eligible based on his or her former placement in foster care,
 1362 including, but not limited to, the assistance of the Office of
 1363 Continuing Care under s. 414.56.

1364 b. Services or benefits that may be lost through
 1365 termination of dependency jurisdiction.

1366 c. Other federal, state, local, or community-based
 1367 services or supports available to him or her.

1368 (4) REVIEW HEARINGS FOR YOUNG ADULTS IN FOSTER CARE.—
 1369 During each period of time that a young adult remains in foster
 1370 care, the court shall review the status of the young adult at
 1371 least every 6 months and must hold a permanency review hearing
 1372 at least annually.

1373 (e)1. Notwithstanding the provisions of this subsection,
 1374 if a young adult has chosen to remain in extended foster care
 1375 after he or she has reached 18 years of age, the department may

1376 not close a case and the court may not terminate jurisdiction
1377 until the court finds, following a hearing, that the following
1378 criteria have been met:

1379 ~~a.1.~~ Attendance of the young adult at the hearing; or

1380 ~~b.2.~~ Findings by the court that:

1381 (I)a. The young adult has been informed by the department
1382 of his or her right to attend the hearing and has provided
1383 written consent to waive this right; and

1384 (II)b. The young adult has been informed of the potential
1385 negative effects of early termination of care, the option to
1386 reenter care before reaching 21 years of age, the procedure for,
1387 and limitations on, reentering care, and the availability of
1388 alternative services, and has signed a document attesting that
1389 he or she has been so informed and understands these provisions;
1390 or

1391 (III)c. The young adult has voluntarily left the program,
1392 has not signed the document in sub-subparagraph b., and is
1393 unwilling to participate in any further court proceeding.

1394 ~~2.3.~~ In all permanency hearings or hearings regarding the
1395 transition of the young adult from care to independent living,
1396 the court shall consult with the young adult regarding the
1397 proposed permanency plan, case plan, and individual education
1398 plan for the young adult and ensure that he or she has
1399 understood the conversation. The court shall also inquire of the
1400 young adult regarding his or her relationship with the

1401 supportive adult with whom the young adult has entered into a
 1402 formal agreement for an ongoing relationship, if such agreement
 1403 exists.

1404 Section 25. Paragraph (a) of subsection (3) of section
 1405 39.801, Florida Statutes, is amended to read:

1406 39.801 Procedures and jurisdiction; notice; service of
 1407 process.—

1408 (3) Before the court may terminate parental rights, in
 1409 addition to the other requirements set forth in this part, the
 1410 following requirements must be met:

1411 (a) Notice of the date, time, and place of the advisory
 1412 hearing for the petition to terminate parental rights; if
 1413 applicable, instructions for appearance through audio-video
 1414 communication technology; and a copy of the petition must be
 1415 personally served upon the following persons, specifically
 1416 notifying them that a petition has been filed:

- 1417 1. The parents of the child.
- 1418 2. The legal custodians of the child.
- 1419 3. If the parents who would be entitled to notice are dead
 1420 or unknown, a living relative of the child, unless upon diligent
 1421 search and inquiry no such relative can be found.
- 1422 4. Any person who has physical custody of the child.
- 1423 5. Any grandparent entitled to priority for adoption under
 1424 s. 63.0425.
- 1425 6. Any prospective parent who has been identified under s.

1426 39.503 or s. 39.803, unless a court order has been entered
1427 pursuant to s. 39.503(4) or (9) or s. 39.803(4) or (9) which
1428 indicates no further notice is required. Except as otherwise
1429 provided in this section, if there is not a legal father, notice
1430 of the petition for termination of parental rights must be
1431 provided to any known prospective father who is identified under
1432 oath before the court or who is identified by a diligent search
1433 of the Florida Putative Father Registry. Service of the notice
1434 of the petition for termination of parental rights is not
1435 required if the prospective father executes an affidavit of
1436 nonpaternity or a consent to termination of his parental rights
1437 which is accepted by the court after notice and opportunity to
1438 be heard by all parties to address the best interests of the
1439 child in accepting such affidavit.

1440 7. The guardian ad litem for the child ~~or the~~
1441 ~~representative of the guardian ad litem program, if the program~~
1442 ~~has been appointed.~~

1443
1444 A party may consent to service or notice by e-mail by providing
1445 a primary e-mail address to the clerk of the court. The document
1446 containing the notice to respond or appear must contain, in type
1447 at least as large as the type in the balance of the document,
1448 the following or substantially similar language: "FAILURE TO
1449 APPEAR AT THIS ADVISORY HEARING CONSTITUTES CONSENT TO THE
1450 TERMINATION OF PARENTAL RIGHTS OF THIS CHILD (OR CHILDREN). IF

1451 YOU FAIL TO APPEAR ON THE DATE AND TIME SPECIFIED, YOU MAY LOSE
 1452 ALL LEGAL RIGHTS AS A PARENT TO THE CHILD OR CHILDREN NAMED IN
 1453 THE PETITION ATTACHED TO THIS NOTICE."

1454 Section 26. Subsection (2) of section 39.807, Florida
 1455 Statutes, is amended to read:

1456 39.807 Right to counsel; guardian ad litem.—

1457 (2)(a) The court shall appoint a guardian ad litem to
 1458 represent the ~~best interest of the~~ child in any termination of
 1459 parental rights proceedings and shall ascertain at each stage of
 1460 the proceedings whether a guardian ad litem has been appointed.

1461 (b) The guardian ad litem has the ~~following~~
 1462 responsibilities and authorities listed in s. 39.822.÷

1463 ~~1. To investigate the allegations of the petition and any~~
 1464 ~~subsequent matters arising in the case and,~~

1465 (c) Unless excused by the court, the guardian ad litem
 1466 must ~~to~~ file a written report. This report must include a
 1467 statement of the wishes of the child and the recommendations of
 1468 the guardian ad litem and must be provided to all parties and
 1469 the court at least 72 hours before the disposition hearing.

1470 ~~2. To be present at all court hearings unless excused by~~
 1471 ~~the court.~~

1472 ~~3. To represent the best interests of the child until the~~
 1473 ~~jurisdiction of the court over the child terminates or until~~
 1474 ~~excused by the court.~~

1475 ~~(c) A guardian ad litem is not required to post bond but~~

1476 | ~~shall file an acceptance of the office.~~

1477 | ~~(d) A guardian ad litem is entitled to receive service of~~
 1478 | ~~pleadings and papers as provided by the Florida Rules of~~
 1479 | ~~Juvenile Procedure.~~

1480 | (d)(e) This subsection does not apply to any voluntary
 1481 | relinquishment of parental rights proceeding.

1482 | Section 27. Subsection (2) of section 39.808, Florida
 1483 | Statutes, is amended to read:

1484 | 39.808 Advisory hearing; pretrial status conference.—

1485 | (2) At the hearing the court shall inform the parties of
 1486 | their rights under s. 39.807, ~~shall~~ appoint counsel for the
 1487 | parties in accordance with legal requirements, and ~~shall~~ appoint
 1488 | a guardian ad litem to represent the ~~interests of the~~ child if
 1489 | one has not already been appointed.

1490 | Section 28. Subsection (2) of section 39.815, Florida
 1491 | Statutes, is amended to read:

1492 | 39.815 Appeal.—

1493 | (2) An attorney for the department shall represent the
 1494 | state upon appeal. When a notice of appeal is filed in the
 1495 | circuit court, the clerk shall notify the attorney for the
 1496 | department, ~~together with~~ the attorney for the parent, the
 1497 | guardian ad litem, and the any attorney ad litem for the child,
 1498 | if one is appointed.

1499 | Section 29. Section 39.820, Florida Statutes, is repealed.

1500 | Section 30. Subsections (1) and (3) of section 39.821,

1501 Florida Statutes, are amended to read:
 1502 39.821 Qualifications of guardians ad litem.—
 1503 (1) Because of the special trust or responsibility placed
 1504 in a guardian ad litem, the Statewide Guardian ad Litem Office
 1505 ~~Program~~ may use any private funds collected by the office
 1506 ~~program~~, or any state funds so designated, to conduct a security
 1507 background investigation before certifying a volunteer to serve.
 1508 A security background investigation must include, but need not
 1509 be limited to, employment history checks, checks of references,
 1510 local criminal history records checks through local law
 1511 enforcement agencies, and statewide criminal history records
 1512 checks through the Department of Law Enforcement. Upon request,
 1513 an employer shall furnish a copy of the personnel record for the
 1514 employee or former employee who is the subject of a security
 1515 background investigation conducted under this section. The
 1516 information contained in the personnel record may include, but
 1517 need not be limited to, disciplinary matters and the reason why
 1518 the employee was terminated from employment. An employer who
 1519 releases a personnel record for purposes of a security
 1520 background investigation is presumed to have acted in good faith
 1521 and is not liable for information contained in the record
 1522 without a showing that the employer maliciously falsified the
 1523 record. A security background investigation conducted under this
 1524 section must ensure that a person is not certified as a guardian
 1525 ad litem if the person has an arrest awaiting final disposition

1526 for, been convicted of, regardless of adjudication, entered a
1527 plea of nolo contendere or guilty to, or been adjudicated
1528 delinquent and the record has not been sealed or expunged for,
1529 any offense prohibited under the provisions listed in s. 435.04.
1530 All applicants must undergo a level 2 background screening
1531 pursuant to chapter 435 before being certified to serve as a
1532 guardian ad litem. In analyzing and evaluating the information
1533 obtained in the security background investigation, the office
1534 ~~program~~ must give particular emphasis to past activities
1535 involving children, including, but not limited to, child-related
1536 criminal offenses or child abuse. The office ~~program~~ has sole
1537 discretion in determining whether to certify a person based on
1538 his or her security background investigation. The information
1539 collected pursuant to the security background investigation is
1540 confidential and exempt from s. 119.07(1).

1541 (3) It is a misdemeanor of the first degree, punishable as
1542 provided in s. 775.082 or s. 775.083, for any person to
1543 willfully, knowingly, or intentionally fail, by false statement,
1544 misrepresentation, impersonation, or other fraudulent means, to
1545 disclose in any application for a volunteer position or for paid
1546 employment with the Statewide Guardian ad Litem Office ~~Program~~,
1547 any material fact used in making a determination as to the
1548 applicant's qualifications for such position.

1549 Section 31. Section 39.822, Florida Statutes, is amended
1550 to read:

1551 39.822 Appointment of guardian ad litem for abused,
 1552 abandoned, or neglected child.—

1553 (1) A guardian ad litem shall be appointed by the court at
 1554 the earliest possible time to represent the child in any child
 1555 abuse, abandonment, or neglect judicial proceeding, whether
 1556 civil or criminal. A guardian ad litem is a fiduciary and must
 1557 provide independent representation of the child using a best
 1558 interest standard of decisionmaking and advocacy.

1559 (2) (a) A guardian ad litem must:

1560 1. Be present at all court hearings unless excused by the
 1561 court.

1562 2. Investigate issues related to the best interest of the
 1563 child who is the subject of the appointment, review all
 1564 disposition recommendations and changes in placement, and,
 1565 unless excused by the court, file written reports and
 1566 recommendations in accordance with general law.

1567 3. Represent the child until the court's jurisdiction over
 1568 the child terminates or until excused by the court.

1569 4. Advocate for the child's participation in the
 1570 proceedings and to report the child's preferences to the court,
 1571 to the extent the child has the ability and desire to express
 1572 his or her preferences.

1573 5. Perform other duties that are consistent with the scope
 1574 of the appointment.

1575 (b) A guardian ad litem shall have immediate and unlimited

1576 access to the children he or she represents.

1577 (c) A guardian ad litem is not required to post bond but
1578 must file an acceptance of the appointment.

1579 (d) A guardian ad litem is entitled to receive service of
1580 pleadings and papers as provided by the Florida Rules of
1581 Juvenile Procedure.

1582 (3) Any person participating in a civil or criminal
1583 judicial proceeding resulting from such appointment shall be
1584 presumed prima facie to be acting in good faith and in so doing
1585 shall be immune from any liability, civil or criminal, that
1586 otherwise might be incurred or imposed.

1587 (4)~~(2)~~ In those cases in which the parents are financially
1588 able, the parent or parents of the child shall reimburse the
1589 court, in part or in whole, for the cost of provision of
1590 guardian ad litem representation services. Reimbursement to the
1591 individual providing guardian ad litem representation is not
1592 ~~services shall not be~~ contingent upon successful collection by
1593 the court from the parent or parents.

1594 (5)~~(3)~~ Upon presentation by a guardian ad litem of a court
1595 order appointing the guardian ad litem:

1596 (a) An agency, as defined in chapter 119, shall allow the
1597 guardian ad litem to inspect and copy records related to the
1598 best interests of the child who is the subject of the
1599 appointment, including, but not limited to, records made
1600 confidential or exempt from s. 119.07(1) or s. 24(a), Art. I of

1601 the State Constitution. The guardian ad litem shall maintain the
 1602 confidential or exempt status of any records shared by an agency
 1603 under this paragraph.

1604 (b) A person or an organization, other than an agency
 1605 under paragraph (a), shall allow the guardian ad litem to
 1606 inspect and copy any records related to the best interests of
 1607 the child who is the subject of the appointment, including, but
 1608 not limited to, confidential records.

1609
 1610 For the purposes of this subsection, the term "records related
 1611 to the best interests of the child" includes, but is not limited
 1612 to, medical, mental health, substance abuse, child care,
 1613 education, law enforcement, court, social services, and
 1614 financial records.

1615 ~~(4) The guardian ad litem or the program representative~~
 1616 ~~shall review all disposition recommendations and changes in~~
 1617 ~~placements, and must be present at all critical stages of the~~
 1618 ~~dependency proceeding or submit a written report of~~
 1619 ~~recommendations to the court. Written reports must be filed with~~
 1620 ~~the court and served on all parties whose whereabouts are known~~
 1621 ~~at least 72 hours prior to the hearing.~~

1622 Section 32. Subsection (4) of section 39.827, Florida
 1623 Statutes, is amended to read:

1624 39.827 Hearing for appointment of a guardian advocate.—

1625 (4) The hearing under this section must ~~shall~~ remain

1626 confidential and closed to the public. The clerk shall keep all
1627 court records required by this part separate from other records
1628 of the circuit court. All court records required by this part
1629 ~~are shall be~~ confidential and exempt from ~~the provisions of~~ s.
1630 119.07(1). ~~All~~ Records may only ~~shall~~ be inspected ~~only~~ upon
1631 order of the court by persons deemed by the court to have a
1632 proper interest therein, except that a child and the parents or
1633 custodians of the child and their attorneys, the guardian ad
1634 litem, and the department and its designees, and the attorney ad
1635 litem, if one is appointed, ~~shall~~ always have the right to
1636 inspect and copy any official record pertaining to the child.
1637 The court may permit authorized representatives of recognized
1638 organizations compiling statistics for proper purposes to
1639 inspect and make abstracts from official records, under whatever
1640 conditions upon their use and disposition the court may deem
1641 proper, and may punish by contempt proceedings any violation of
1642 those conditions. All information obtained pursuant to this part
1643 in the discharge of official duty by any judge, employee of the
1644 court, or authorized agent of the department ~~is shall be~~
1645 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
1646 may shall not be disclosed to anyone other than the authorized
1647 personnel of the court or the department and its designees,
1648 except upon order of the court.

1649 Section 33. Paragraphs (a), (b), and (d) of subsection (1)
1650 and subsection (2) of section 39.8296, Florida Statutes, are

1651 amended to read:

1652 39.8296 Statewide Guardian ad Litem Office; legislative
 1653 findings and intent; creation; appointment of executive
 1654 director; duties of office.—

1655 (1) LEGISLATIVE FINDINGS AND INTENT.—

1656 (a) The Legislature finds that for the past 20 years, the
 1657 Statewide Guardian Ad Litem Office ~~Program~~ has been the only
 1658 mechanism for best interest representation for children in
 1659 Florida who are involved in dependency proceedings.

1660 (b) The Legislature also finds that while the Statewide
 1661 Guardian Ad Litem Office ~~Program~~ has been supervised by court
 1662 administration within the circuit courts since the office's
 1663 ~~program's~~ inception, there is a perceived conflict of interest
 1664 created by the supervision of program staff by the judges before
 1665 whom they appear.

1666 (d) It is therefore the intent of the Legislature to place
 1667 the Statewide Guardian Ad Litem Office ~~Program~~ in an appropriate
 1668 place and provide a statewide infrastructure to increase
 1669 functioning and standardization among the local offices ~~programs~~
 1670 currently operating in the 20 judicial circuits.

1671 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
 1672 Statewide Guardian ad Litem Office within the Justice
 1673 Administrative Commission. The Justice Administrative Commission
 1674 shall provide administrative support and service to the office
 1675 to the extent requested by the executive director within the

1676 available resources of the commission. The Statewide Guardian ad
1677 Litem Office is not subject to control, supervision, or
1678 direction by the Justice Administrative Commission in the
1679 performance of its duties, but the employees of the office are
1680 governed by the classification plan and salary and benefits plan
1681 approved by the Justice Administrative Commission.

1682 (a) The head of the Statewide Guardian ad Litem Office is
1683 the executive director, who shall be appointed by the Governor
1684 from a list of a minimum of three eligible applicants submitted
1685 by a Guardian ad Litem Qualifications Committee. The Guardian ad
1686 Litem Qualifications Committee shall be composed of five
1687 persons, two persons appointed by the Governor, two persons
1688 appointed by the Chief Justice of the Supreme Court, and one
1689 person appointed by the Statewide Guardian ad Litem Office
1690 ~~Association~~. The committee shall provide for statewide
1691 advertisement and the receiving of applications for the position
1692 of executive director. The Governor shall appoint an executive
1693 director from among the recommendations, or the Governor may
1694 reject the nominations and request the submission of new
1695 nominees. The executive director must have knowledge in
1696 dependency law and knowledge of social service delivery systems
1697 available to meet the needs of children who are abused,
1698 neglected, or abandoned. The executive director shall serve on a
1699 full-time basis and shall personally, or through representatives
1700 of the office, carry out the purposes and functions of the

1701 Statewide Guardian ad Litem Office in accordance with state and
 1702 federal law and the state's long-established policy of
 1703 prioritizing children's best interests. The executive director
 1704 shall report to the Governor. The executive director shall serve
 1705 a 3-year term, subject to removal for cause by the Governor. Any
 1706 person appointed to serve as the executive director may be
 1707 permitted to serve more than one term without the necessity of
 1708 convening the Guardian ad Litem Qualifications Committee.

1709 (b) The Statewide Guardian ad Litem Office shall, within
 1710 available resources, have oversight responsibilities for and
 1711 provide technical assistance to all guardian ad litem and
 1712 attorney ad litem offices ~~programs~~ located within the judicial
 1713 circuits.

1714 1. The office shall identify the resources required to
 1715 implement methods of collecting, reporting, and tracking
 1716 reliable and consistent case data.

1717 2. The office shall review the current guardian ad litem
 1718 offices ~~programs~~ in Florida and other states.

1719 3. The office, in consultation with local guardian ad
 1720 litem offices, shall develop statewide performance measures and
 1721 standards.

1722 4. The office shall develop and maintain a guardian ad
 1723 litem training program, which must be updated regularly, ~~which~~
 1724 ~~shall include, but is not limited to, training on the~~
 1725 ~~recognition of and responses to head trauma and brain injury in~~

1726 ~~a child under 6 years of age. The office shall establish a~~
1727 ~~curriculum committee to develop the training program specified~~
1728 ~~in this subparagraph. The curriculum committee shall include,~~
1729 ~~but not be limited to, dependency judges, directors of circuit~~
1730 ~~guardian ad litem programs, active certified guardians ad litem,~~
1731 ~~a mental health professional who specializes in the treatment of~~
1732 ~~children, a member of a child advocacy group, a representative~~
1733 ~~of a domestic violence advocacy group, an individual with a~~
1734 ~~degree in social work, and a social worker experienced in~~
1735 ~~working with victims and perpetrators of child abuse.~~

1736 5. The office shall review the various methods of funding
1737 guardian ad litem offices ~~programs~~, maximize the use of those
1738 funding sources to the extent possible, and review the kinds of
1739 services being provided by circuit guardian ad litem offices
1740 ~~programs~~.

1741 6. The office shall determine the feasibility or
1742 desirability of new concepts of organization, administration,
1743 financing, or service delivery designed to preserve the civil
1744 and constitutional rights and fulfill other needs of dependent
1745 children.

1746 7. The office shall ensure that each child has an attorney
1747 assigned to his or her case and, within available resources, is
1748 represented using multidisciplinary teams that may include
1749 volunteers, pro bono attorneys, social workers, and mentors.

1750 8. The office shall provide oversight and technical

1751 assistance to attorneys ad litem, including, but not limited to,
1752 all of the following:

1753 a. Develop an attorney ad litem training program in
1754 collaboration with dependency court stakeholders, including, but
1755 not limited to, dependency judges, representatives from legal
1756 aid providing attorney ad litem representation, and an attorney
1757 ad litem appointed from a registry maintained by the chief
1758 judge. The training program must be updated regularly with or
1759 without convening the stakeholders group.

1760 b. Offer consultation and technical assistance to chief
1761 judges in maintaining attorney registries for the selection of
1762 attorneys ad litem.

1763 c. Assist with recruitment, training, and mentoring of
1764 attorneys ad litem as needed.

1765 9.7. In an effort to promote normalcy and establish trust
1766 between a ~~court-appointed volunteer~~ guardian ad litem and a
1767 child alleged to be abused, abandoned, or neglected under this
1768 chapter, a guardian ad litem may transport a child. However, a
1769 guardian ad litem ~~volunteer~~ may not be required by a guardian ad
1770 litem circuit office or ordered by ~~or directed by the program or~~
1771 a court to transport a child.

1772 10.8. The office shall submit to the Governor, the
1773 President of the Senate, the Speaker of the House of
1774 Representatives, and the Chief Justice of the Supreme Court an
1775 interim report describing the progress of the office in meeting

1776 the goals as described in this section. The office shall submit
 1777 to the Governor, the President of the Senate, the Speaker of the
 1778 House of Representatives, and the Chief Justice of the Supreme
 1779 Court a proposed plan including alternatives for meeting the
 1780 state's guardian ad litem and attorney ad litem needs. This plan
 1781 may include recommendations for less than the entire state, may
 1782 include a phase-in system, and shall include estimates of the
 1783 cost of each of the alternatives. Each year the office shall
 1784 provide a status report and provide further recommendations to
 1785 address the need for guardian ad litem representation ~~services~~
 1786 and related issues.

1787 Section 34. Section 39.8297, Florida Statutes, is amended
 1788 to read:

1789 39.8297 County funding for guardian ad litem employees.—

1790 (1) A county and the executive director of the Statewide
 1791 Guardian ad Litem Office may enter into an agreement by which
 1792 the county agrees to provide funds to the local guardian ad
 1793 litem office in order to employ persons who will assist in the
 1794 operation of the guardian ad litem office ~~program~~ in the county.

1795 (2) The agreement, at a minimum, must provide that:

1796 (a) Funding for the persons who are employed will be
 1797 provided on at least a fiscal-year basis.

1798 (b) The persons who are employed will be hired,
 1799 supervised, managed, and terminated by the executive director of
 1800 the Statewide Guardian ad Litem Office. The statewide office is

1801 responsible for compliance with all requirements of federal and
1802 state employment laws, and shall fully indemnify the county from
1803 any liability under such laws, as authorized by s. 768.28(19),
1804 to the extent such liability is the result of the acts or
1805 omissions of the Statewide Guardian ad Litem Office or its
1806 agents or employees.

1807 (c) The county is the employer for purposes of s. 440.10
1808 and chapter 443.

1809 (d) Employees funded by the county under this section and
1810 other county employees may be aggregated for purposes of a
1811 flexible benefits plan pursuant to s. 125 of the Internal
1812 Revenue Code of 1986.

1813 (e) Persons employed under this section may be terminated
1814 after a substantial breach of the agreement or because funding
1815 to the guardian ad litem office ~~program~~ has expired.

1816 (3) Persons employed under this section may not be counted
1817 in a formula or similar process used by the Statewide Guardian
1818 ad Litem Office to measure personnel needs of a judicial
1819 circuit's guardian ad litem office ~~program~~.

1820 (4) Agreements created pursuant to this section do not
1821 obligate the state to allocate funds to a county to employ
1822 persons in the guardian ad litem office ~~program~~.

1823 Section 35. Subsection (6) is added to section 414.56,
1824 Florida Statutes, to read:

1825 414.56 Office of Continuing Care.—The department shall

1826 establish an Office of Continuing Care to ensure young adults
1827 who age out of the foster care system between 18 and 21 years of
1828 age, or 22 years of age with a documented disability, have a
1829 point of contact until the young adult reaches the age of 26 in
1830 order to receive ongoing support and care coordination needed to
1831 achieve self-sufficiency. Duties of the office include, but are
1832 not limited to:

1833 (6) Working in coordination with the Statewide Guardian ad
1834 Lite Office to identify supportive adults for children
1835 transitioning out of foster care to live independently, in
1836 accordance with s. 39.6036.

1837 Section 36. Section 1009.898, Florida Statutes, is created
1838 to read:

1839 1009.898 Fostering Prosperity grants.—

1840 (1) The Fostering Prosperity program shall administer the
1841 following grants to youth and young adults aging out of foster
1842 care:

1843 (a) Grants to provide financial literacy instruction using
1844 a curriculum developed by the Department of Financial Services
1845 in consultation with the Department of Education.

1846 (b) Grants to provide SAT, ACT, or CLT preparation,
1847 including one-on-one support and fee waivers for the
1848 examinations.

1849 (c) Grants to youth and young adults planning to pursue
1850 trade careers or paid apprenticeships.

1851 (2) If a youth who is aging out of foster care is reunited
 1852 with his or her parents, the grants remain available for the
 1853 youth for up to 1 year after reunification.

1854 (3) The State Board of Education shall adopt rules to
 1855 administer this section.

1856 Section 37. Subsection (1) of section 29.008, Florida
 1857 Statutes, is amended to read:

1858 29.008 County funding of court-related functions.—

1859 (1) Counties are required by s. 14, Art. V of the State
 1860 Constitution to fund the cost of communications services,
 1861 existing radio systems, existing multiagency criminal justice
 1862 information systems, and the cost of construction or lease,
 1863 maintenance, utilities, and security of facilities for the
 1864 circuit and county courts, public defenders' offices, state
 1865 attorneys' offices, guardian ad litem offices, and the offices
 1866 of the clerks of the circuit and county courts performing court-
 1867 related functions. For purposes of this section, the term
 1868 "circuit and county courts" includes the offices and staffing of
 1869 the guardian ad litem offices ~~programs~~, and the term "public
 1870 defenders' offices" includes the offices of criminal conflict
 1871 and civil regional counsel. The county designated under s.
 1872 35.05(1) as the headquarters for each appellate district shall
 1873 fund these costs for the appellate division of the public
 1874 defender's office in that county. For purposes of implementing
 1875 these requirements, the term:

1876 (a) "Facility" means reasonable and necessary buildings
1877 and office space and appurtenant equipment and furnishings,
1878 structures, real estate, easements, and related interests in
1879 real estate, including, but not limited to, those for the
1880 purpose of housing legal materials for use by the general public
1881 and personnel, equipment, or functions of the circuit or county
1882 courts, public defenders' offices, state attorneys' offices, and
1883 court-related functions of the office of the clerks of the
1884 circuit and county courts and all storage. The term "facility"
1885 includes all wiring necessary for court reporting services. The
1886 term also includes access to parking for such facilities in
1887 connection with such court-related functions that may be
1888 available free or from a private provider or a local government
1889 for a fee. The office space provided by a county may not be less
1890 than the standards for space allotment adopted by the Department
1891 of Management Services, except this requirement applies only to
1892 facilities that are leased, or on which construction commences,
1893 after June 30, 2003. County funding must include physical
1894 modifications and improvements to all facilities as are required
1895 for compliance with the Americans with Disabilities Act. Upon
1896 mutual agreement of a county and the affected entity in this
1897 paragraph, the office space provided by the county may vary from
1898 the standards for space allotment adopted by the Department of
1899 Management Services.

1900 1. As of July 1, 2005, equipment and furnishings shall be

1901 limited to that appropriate and customary for courtrooms,
 1902 hearing rooms, jury facilities, and other public areas in
 1903 courthouses and any other facility occupied by the courts, state
 1904 attorneys, public defenders, guardians ad litem, and criminal
 1905 conflict and civil regional counsel. Court reporting equipment
 1906 in these areas or facilities is not a responsibility of the
 1907 county.

1908 2. Equipment and furnishings under this paragraph in
 1909 existence and owned by counties on July 1, 2005, except for that
 1910 in the possession of the clerks, for areas other than
 1911 courtrooms, hearing rooms, jury facilities, and other public
 1912 areas in courthouses and any other facility occupied by the
 1913 courts, state attorneys, and public defenders, shall be
 1914 transferred to the state at no charge. This provision does not
 1915 apply to any communications services as defined in paragraph
 1916 (f).

1917 (b) "Construction or lease" includes, but is not limited
 1918 to, all reasonable and necessary costs of the acquisition or
 1919 lease of facilities for all judicial officers, staff, jurors,
 1920 volunteers of a tenant agency, and the public for the circuit
 1921 and county courts, the public defenders' offices, state
 1922 attorneys' offices, and for performing the court-related
 1923 functions of the offices of the clerks of the circuit and county
 1924 courts. This includes expenses related to financing such
 1925 facilities and the existing and future cost and bonded

1926 indebtedness associated with placing the facilities in use.

1927 (c) "Maintenance" includes, but is not limited to, all
 1928 reasonable and necessary costs of custodial and groundskeeping
 1929 services and renovation and reconstruction as needed to
 1930 accommodate functions for the circuit and county courts, the
 1931 public defenders' offices, and state attorneys' offices and for
 1932 performing the court-related functions of the offices of the
 1933 clerks of the circuit and county court and for maintaining the
 1934 facilities in a condition appropriate and safe for the use
 1935 intended.

1936 (d) "Utilities" means all electricity services for light,
 1937 heat, and power; natural or manufactured gas services for light,
 1938 heat, and power; water and wastewater services and systems,
 1939 stormwater or runoff services and systems, sewer services and
 1940 systems, all costs or fees associated with these services and
 1941 systems, and any costs or fees associated with the mitigation of
 1942 environmental impacts directly related to the facility.

1943 (e) "Security" includes but is not limited to, all
 1944 reasonable and necessary costs of services of law enforcement
 1945 officers or licensed security guards and all electronic,
 1946 cellular, or digital monitoring and screening devices necessary
 1947 to ensure the safety and security of all persons visiting or
 1948 working in a facility; to provide for security of the facility,
 1949 including protection of property owned by the county or the
 1950 state; and for security of prisoners brought to any facility.

1951 This includes bailiffs while providing courtroom and other
1952 security for each judge and other quasi-judicial officers.

1953 (f) "Communications services" are defined as any
1954 reasonable and necessary transmission, emission, and reception
1955 of signs, signals, writings, images, and sounds of intelligence
1956 of any nature by wire, radio, optical, audio equipment, or other
1957 electromagnetic systems and includes all facilities and
1958 equipment owned, leased, or used by judges, clerks, public
1959 defenders, state attorneys, guardians ad litem, criminal
1960 conflict and civil regional counsel, and all staff of the state
1961 courts system, state attorneys' offices, public defenders'
1962 offices, and clerks of the circuit and county courts performing
1963 court-related functions. Such system or services shall include,
1964 but not be limited to:

1965 1. Telephone system infrastructure, including computer
1966 lines, telephone switching equipment, and maintenance, and
1967 facsimile equipment, wireless communications, cellular
1968 telephones, pagers, and video teleconferencing equipment and
1969 line charges. Each county shall continue to provide access to a
1970 local carrier for local and long distance service and shall pay
1971 toll charges for local and long distance service.

1972 2. All computer networks, systems and equipment, including
1973 computer hardware and software, modems, printers, wiring,
1974 network connections, maintenance, support staff or services
1975 including any county-funded support staff located in the offices

1976 of the circuit court, county courts, state attorneys, public
 1977 defenders, guardians ad litem, and criminal conflict and civil
 1978 regional counsel; training, supplies, and line charges necessary
 1979 for an integrated computer system to support the operations and
 1980 management of the state courts system, the offices of the public
 1981 defenders, the offices of the state attorneys, the guardian ad
 1982 litem offices, the offices of criminal conflict and civil
 1983 regional counsel, and the offices of the clerks of the circuit
 1984 and county courts; and the capability to connect those entities
 1985 and reporting data to the state as required for the transmission
 1986 of revenue, performance accountability, case management, data
 1987 collection, budgeting, and auditing purposes. The integrated
 1988 computer system shall be operational by July 1, 2006, and, at a
 1989 minimum, permit the exchange of financial, performance
 1990 accountability, case management, case disposition, and other
 1991 data across multiple state and county information systems
 1992 involving multiple users at both the state level and within each
 1993 judicial circuit and be able to electronically exchange judicial
 1994 case background data, sentencing scoresheets, and video evidence
 1995 information stored in integrated case management systems over
 1996 secure networks. Once the integrated system becomes operational,
 1997 counties may reject requests to purchase communications services
 1998 included in this subparagraph not in compliance with standards,
 1999 protocols, or processes adopted by the board established
 2000 pursuant to former s. 29.0086.

2001 3. Courier messenger and subpoena services.

2002 4. Auxiliary aids and services for qualified individuals

2003 with a disability which are necessary to ensure access to the

2004 courts. Such auxiliary aids and services include, but are not

2005 limited to, sign language interpretation services required under

2006 the federal Americans with Disabilities Act other than services

2007 required to satisfy due-process requirements and identified as a

2008 state funding responsibility pursuant to ss. 29.004-29.007,

2009 real-time transcription services for individuals who are hearing

2010 impaired, and assistive listening devices and the equipment

2011 necessary to implement such accommodations.

2012 (g) "Existing radio systems" includes, but is not limited

2013 to, law enforcement radio systems that are used by the circuit

2014 and county courts, the offices of the public defenders, the

2015 offices of the state attorneys, and for court-related functions

2016 of the offices of the clerks of the circuit and county courts.

2017 This includes radio systems that were operational or under

2018 contract at the time Revision No. 7, 1998, to Art. V of the

2019 State Constitution was adopted and any enhancements made

2020 thereafter, the maintenance of those systems, and the personnel

2021 and supplies necessary for operation.

2022 (h) "Existing multiagency criminal justice information

2023 systems" includes, but is not limited to, those components of

2024 the multiagency criminal justice information system as defined

2025 in s. 943.045, supporting the offices of the circuit or county

2026 courts, the public defenders' offices, the state attorneys'
2027 offices, or those portions of the offices of the clerks of the
2028 circuit and county courts performing court-related functions
2029 that are used to carry out the court-related activities of those
2030 entities. This includes upgrades and maintenance of the current
2031 equipment, maintenance and upgrades of supporting technology
2032 infrastructure and associated staff, and services and expenses
2033 to assure continued information sharing and reporting of
2034 information to the state. The counties shall also provide
2035 additional information technology services, hardware, and
2036 software as needed for new judges and staff of the state courts
2037 system, state attorneys' offices, public defenders' offices,
2038 guardian ad litem offices, and the offices of the clerks of the
2039 circuit and county courts performing court-related functions.

2040 Section 38. Paragraph (a) of subsection (1) of section
2041 39.6011, Florida Statutes, is amended to read:

2042 39.6011 Case plan development.—

2043 (1) The department shall prepare a draft of the case plan
2044 for each child receiving services under this chapter. A parent
2045 of a child may not be threatened or coerced with the loss of
2046 custody or parental rights for failing to admit in the case plan
2047 of abusing, neglecting, or abandoning a child. Participating in
2048 the development of a case plan is not an admission to any
2049 allegation of abuse, abandonment, or neglect, and it is not a
2050 consent to a finding of dependency or termination of parental

2051 rights. The case plan shall be developed subject to the
 2052 following requirements:

2053 (a) The case plan must be developed in a face-to-face
 2054 conference with the parent of the child, the ~~any~~ court-appointed
 2055 guardian ad litem, and, if appropriate, the child and the
 2056 temporary custodian of the child.

2057 Section 39. Subsection (8) of section 40.24, Florida
 2058 Statutes, is amended to read:

2059 40.24 Compensation and reimbursement policy.—

2060 (8) In circuits that elect to allow jurors to donate their
 2061 jury service fee upon conclusion of juror service, each juror
 2062 may irrevocably donate all of the juror's compensation to the 26
 2063 U.S.C. s. 501(c)(3) organization specified by the Statewide
 2064 Guardian ad Litem Office ~~program~~ or to a domestic violence
 2065 shelter as specified annually on a rotating basis by the clerk
 2066 of court in the circuit for the juror's county of residence. The
 2067 funds collected may not reduce or offset the amount of
 2068 compensation that the Statewide Guardian ad Litem Office ~~program~~
 2069 or domestic violence shelter would otherwise receive from the
 2070 state. The clerk of court shall ensure that all jurors are given
 2071 written notice at the conclusion of their service that they have
 2072 the option to so donate their compensation, and that the
 2073 applicable program specified by the Statewide Guardian ad Litem
 2074 Office ~~program~~ or a domestic violence shelter receives all funds
 2075 donated by the jurors. Any circuit guardian ad litem office

2076 ~~program~~ receiving donations of juror compensation must expend
 2077 such moneys on services for children for whom guardians ad litem
 2078 have been appointed.

2079 Section 40. Subsections (5), (6), and (7) of section
 2080 43.16, Florida Statutes, are amended to read:

2081 43.16 Justice Administrative Commission; membership,
 2082 powers and duties.—

2083 (5) The duties of the commission shall include, but not be
 2084 limited to, the following:

2085 (a) The maintenance of a central state office for
 2086 administrative services and assistance when possible to and on
 2087 behalf of the state attorneys and public defenders of Florida,
 2088 the capital collateral regional counsel of Florida, the criminal
 2089 conflict and civil regional counsel, and the Statewide Guardian
 2090 Ad Litem Office ~~Program~~.

2091 (b) Each state attorney, public defender, and criminal
 2092 conflict and civil regional counsel and the Statewide Guardian
 2093 Ad Litem Office ~~Program~~ shall continue to prepare necessary
 2094 budgets, vouchers that represent valid claims for reimbursement
 2095 by the state for authorized expenses, and other things
 2096 incidental to the proper administrative operation of the office,
 2097 such as revenue transmittals to the Chief Financial Officer and
 2098 automated systems plans, but will forward such items to the
 2099 commission for recording and submission to the proper state
 2100 officer. However, when requested by a state attorney, a public

2101 defender, a criminal conflict and civil regional counsel, or the
 2102 Statewide Guardian Ad Litem Office ~~Program~~, the commission will
 2103 either assist in the preparation of budget requests, voucher
 2104 schedules, and other forms and reports or accomplish the entire
 2105 project involved.

2106 (6) The commission, each state attorney, each public
 2107 defender, the criminal conflict and civil regional counsel, the
 2108 capital collateral regional counsel, and the Statewide Guardian
 2109 Ad Litem Office ~~Program~~ shall establish and maintain internal
 2110 controls designed to:

2111 (a) Prevent and detect fraud, waste, and abuse as defined
 2112 in s. 11.45(1).

2113 (b) Promote and encourage compliance with applicable laws,
 2114 rules, contracts, grant agreements, and best practices.

2115 (c) Support economical and efficient operations.

2116 (d) Ensure reliability of financial records and reports.

2117 (e) Safeguard assets.

2118 (7) ~~The provisions contained in~~ This section is ~~shall be~~
 2119 supplemental to ~~those of~~ chapter 27, relating to state
 2120 attorneys, public defenders, criminal conflict and civil
 2121 regional counsel, and capital collateral regional counsel; to
 2122 ~~those of~~ chapter 39, relating to the Statewide Guardian Ad Litem
 2123 Office ~~Program~~; or to other laws pertaining hereto.

2124 Section 41. Paragraph (a) of subsection (1) and subsection
 2125 (4) of section 61.402, Florida Statutes, are amended to read:

2126 61.402 Qualifications of guardians ad litem.—
 2127 (1) A person appointed as a guardian ad litem pursuant to
 2128 s. 61.401 must be:
 2129 (a) Certified by the Statewide Guardian Ad Litem Office
 2130 ~~Program~~ pursuant to s. 39.821;
 2131 (4) Nothing in this section requires the Statewide
 2132 Guardian Ad Litem Office ~~Program~~ or a not-for-profit legal aid
 2133 organization to train or certify guardians ad litem appointed
 2134 under this chapter.
 2135 Section 42. Paragraph (x) of subsection (2) of section
 2136 110.205, Florida Statutes, is amended to read:
 2137 110.205 Career service; exemptions.—
 2138 (2) EXEMPT POSITIONS.—The exempt positions that are not
 2139 covered by this part include the following:
 2140 (x) All officers and employees of the Justice
 2141 Administrative Commission, Office of the State Attorney, Office
 2142 of the Public Defender, regional offices of capital collateral
 2143 counsel, offices of criminal conflict and civil regional
 2144 counsel, and Statewide Guardian Ad Litem Office, including the
 2145 circuit guardian ad litem offices ~~programs~~.
 2146 Section 43. Paragraph (b) of subsection (96) of section
 2147 320.08058, Florida Statutes, is amended to read:
 2148 320.08058 Specialty license plates.—
 2149 (96) GUARDIAN AD LITEM LICENSE PLATES.—
 2150 (b) The annual use fees from the sale of the plate shall

2151 be distributed to the Florida Guardian Ad Litem Foundation,
 2152 Inc., a direct-support organization and a nonprofit corporation
 2153 under s. 501(c)(3) of the Internal Revenue Code. Up to 10
 2154 percent of the proceeds may be used for administrative costs and
 2155 the marketing of the plate. The remainder of the proceeds must
 2156 be used in this state to support the mission and efforts of the
 2157 Statewide Guardian Ad Litem Office ~~Program~~ to represent abused,
 2158 abandoned, and neglected children and advocate for their best
 2159 interests; recruit and retain volunteer child advocates; and
 2160 meet the unique needs of the dependent children the program
 2161 serves.

2162 Section 44. Paragraph (e) of subsection (3) of section
 2163 943.053, Florida Statutes, is amended to read:

2164 943.053 Dissemination of criminal justice information;
 2165 fees.—

2166 (3)

2167 (e) The fee per record for criminal history information
 2168 provided pursuant to this subsection and s. 943.0542 is \$24 per
 2169 name submitted, except that the fee for the Statewide Guardian
 2170 Ad Litem Office ~~program~~ and vendors of the Department of
 2171 Children and Families, the Department of Juvenile Justice, the
 2172 Agency for Persons with Disabilities, and the Department of
 2173 Elderly Affairs is \$8 for each name submitted; the fee for a
 2174 state criminal history provided for application processing as
 2175 required by law to be performed by the Department of Agriculture

2176 and Consumer Services is \$15 for each name submitted; and the
2177 fee for requests under s. 943.0542, which implements the
2178 National Child Protection Act, is \$18 for each volunteer name
2179 submitted. An office of the public defender or an office of
2180 criminal conflict and civil regional counsel may not be assessed
2181 a fee for Florida criminal history information or wanted person
2182 information.

2183 Section 45. Subsection (2) of section 985.43, Florida
2184 Statutes, is amended to read:

2185 985.43 Predisposition reports; other evaluations.—

2186 (2) The court shall consider the child's entire assessment
2187 and predisposition report and shall review the records of
2188 earlier judicial proceedings before making a final disposition
2189 of the case. If the child is under the jurisdiction of a
2190 dependency court, the court may receive and consider any
2191 information provided by the Statewide Guardian Ad Litem Office
2192 ~~Program~~ and the child's attorney ad litem, if one is appointed.
2193 The court may, by order, require additional evaluations and
2194 studies to be performed by the department; the county school
2195 system; or any social, psychological, or psychiatric agency of
2196 the state. The court shall order the educational needs
2197 assessment completed under s. 985.18(2) to be included in the
2198 assessment and predisposition report.

2199 Section 46. Subsection (4) of section 985.441, Florida
2200 Statutes, is amended to read:

2201 985.441 Commitment.—
 2202 (4) The department may transfer a child, when necessary to
 2203 appropriately administer the child's commitment, from one
 2204 facility or program to another facility or program operated,
 2205 contracted, subcontracted, or designated by the department,
 2206 including a postcommitment nonresidential conditional release
 2207 program, except that the department may not transfer any child
 2208 adjudicated solely for a misdemeanor to a residential program
 2209 except as provided in subsection (2). The department shall
 2210 notify the court that committed the child to the department and
 2211 any attorney of record for the child, in writing, of its intent
 2212 to transfer the child from a commitment facility or program to
 2213 another facility or program of a higher or lower restrictiveness
 2214 level. If the child is under the jurisdiction of a dependency
 2215 court, the department shall also provide notice to the
 2216 dependency court, ~~and~~ the Department of Children and Families,
 2217 ~~and, if appointed,~~ the Statewide Guardian Ad Litem Office,
 2218 ~~Program~~ and the child's attorney ad litem, if one is appointed.
 2219 The court that committed the child may agree to the transfer or
 2220 may set a hearing to review the transfer. If the court does not
 2221 respond within 10 days after receipt of the notice, the transfer
 2222 of the child shall be deemed granted.

2223 Section 47. Subsection (3) of section 985.455, Florida
 2224 Statutes, is amended to read:

2225 985.455 Other dispositional issues.—

2226 (3) Any commitment of a delinquent child to the department
2227 must be for an indeterminate period of time, which may include
2228 periods of temporary release; however, the period of time may
2229 not exceed the maximum term of imprisonment that an adult may
2230 serve for the same offense, except that the duration of a
2231 minimum-risk nonresidential commitment for an offense that is a
2232 misdemeanor of the second degree, or is equivalent to a
2233 misdemeanor of the second degree, may be for a period not to
2234 exceed 6 months. The duration of the child's placement in a
2235 commitment program of any restrictiveness level shall be based
2236 on objective performance-based treatment planning. The child's
2237 treatment plan progress and adjustment-related issues shall be
2238 reported to the court quarterly, unless the court requests
2239 monthly reports. If the child is under the jurisdiction of a
2240 dependency court, the court may receive and consider any
2241 information provided by the Statewide Guardian Ad Litem Office
2242 ~~Program~~ or the child's attorney ad litem, if one is appointed.
2243 The child's length of stay in a commitment program may be
2244 extended if the child fails to comply with or participate in
2245 treatment activities. The child's length of stay in the program
2246 shall not be extended for purposes of sanction or punishment.
2247 Any temporary release from such program must be approved by the
2248 court. Any child so committed may be discharged from
2249 institutional confinement or a program upon the direction of the
2250 department with the concurrence of the court. The child's

2251 treatment plan progress and adjustment-related issues must be
 2252 communicated to the court at the time the department requests
 2253 the court to consider releasing the child from the commitment
 2254 program. The department shall give the court that committed the
 2255 child to the department reasonable notice, in writing, of its
 2256 desire to discharge the child from a commitment facility. The
 2257 court that committed the child may thereafter accept or reject
 2258 the request. If the court does not respond within 10 days after
 2259 receipt of the notice, the request of the department shall be
 2260 deemed granted. This section does not limit the department's
 2261 authority to revoke a child's temporary release status and
 2262 return the child to a commitment facility for any violation of
 2263 the terms and conditions of the temporary release.

2264 Section 48. Paragraph (b) of subsection (4) of section
 2265 985.461, Florida Statutes, is amended to read:

2266 985.461 Transition to adulthood.—

2267 (4) As part of the child's treatment plan, the department
 2268 may provide transition-to-adulthood services to children
 2269 released from residential commitment. To support participation
 2270 in transition-to-adulthood services and subject to
 2271 appropriation, the department may:

2272 (b) Use community reentry teams to assist in the
 2273 development of a list of age-appropriate activities and
 2274 responsibilities to be incorporated in the child's written case
 2275 plan for any youth who is under the custody or supervision of

2276 the department. Community reentry teams may include
 2277 representatives from school districts, law enforcement,
 2278 workforce development services, community-based service
 2279 providers, the Statewide Guardian Ad Litem Office ~~Program~~, and
 2280 the youth's family. Such community reentry teams must be created
 2281 within existing resources provided to the department. Activities
 2282 may include, but are not limited to, life skills training,
 2283 including training to develop banking and budgeting skills,
 2284 interviewing and career planning skills, parenting skills,
 2285 personal health management, and time management or
 2286 organizational skills; educational support; employment training;
 2287 and counseling.

2288 Section 49. Paragraph (h) of subsection (11) of section
 2289 985.48, Florida Statutes, is amended to read:

2290 985.48 Juvenile sexual offender commitment programs;
 2291 sexual abuse intervention networks.—

2292 (11) Membership of a sexual abuse intervention network
 2293 shall include, but is not limited to, representatives from:

2294 (h) The Statewide Guardian Ad Litem Office ~~program~~;

2295 Section 50. Subsection (1) of section 39.302, Florida
 2296 Statutes, is amended to read:

2297 39.302 Protective investigations of institutional child
 2298 abuse, abandonment, or neglect.—

2299 (1) The department shall conduct a child protective
 2300 investigation of each report of institutional child abuse,

2301 abandonment, or neglect. Upon receipt of a report that alleges
 2302 that an employee or agent of the department, or any other entity
 2303 or person covered by s. 39.01(39) or (57) ~~s. 39.01(36) or (54)~~,
 2304 acting in an official capacity, has committed an act of child
 2305 abuse, abandonment, or neglect, the department shall initiate a
 2306 child protective investigation within the timeframe established
 2307 under s. 39.101(2) and notify the appropriate state attorney,
 2308 law enforcement agency, and licensing agency, which shall
 2309 immediately conduct a joint investigation, unless independent
 2310 investigations are more feasible. When conducting investigations
 2311 or having face-to-face interviews with the child, investigation
 2312 visits shall be unannounced unless it is determined by the
 2313 department or its agent that unannounced visits threaten the
 2314 safety of the child. If a facility is exempt from licensing, the
 2315 department shall inform the owner or operator of the facility of
 2316 the report. Each agency conducting a joint investigation is
 2317 entitled to full access to the information gathered by the
 2318 department in the course of the investigation. A protective
 2319 investigation must include an interview with the child's parent
 2320 or legal guardian. The department shall make a full written
 2321 report to the state attorney within 3 business days after making
 2322 the oral report. A criminal investigation shall be coordinated,
 2323 whenever possible, with the child protective investigation of
 2324 the department. Any interested person who has information
 2325 regarding the offenses described in this subsection may forward

2326 a statement to the state attorney as to whether prosecution is
2327 warranted and appropriate. Within 15 days after the completion
2328 of the investigation, the state attorney shall report the
2329 findings to the department and shall include in the report a
2330 determination of whether or not prosecution is justified and
2331 appropriate in view of the circumstances of the specific case.

2332 Section 51. Paragraph (c) of subsection (1) of section
2333 39.521, Florida Statutes, is amended to read:

2334 39.521 Disposition hearings; powers of disposition.—

2335 (1) A disposition hearing shall be conducted by the court,
2336 if the court finds that the facts alleged in the petition for
2337 dependency were proven in the adjudicatory hearing, or if the
2338 parents or legal custodians have consented to the finding of
2339 dependency or admitted the allegations in the petition, have
2340 failed to appear for the arraignment hearing after proper
2341 notice, or have not been located despite a diligent search
2342 having been conducted.

2343 (c) When any child is adjudicated by a court to be
2344 dependent, the court having jurisdiction of the child has the
2345 power by order to:

2346 1. Require the parent and, when appropriate, the legal
2347 guardian or the child to participate in treatment and services
2348 identified as necessary. The court may require the person who
2349 has custody or who is requesting custody of the child to submit
2350 to a mental health or substance abuse disorder assessment or

2351 evaluation. The order may be made only upon good cause shown and
2352 pursuant to notice and procedural requirements provided under
2353 the Florida Rules of Juvenile Procedure. The mental health
2354 assessment or evaluation must be administered by a qualified
2355 professional as defined in s. 39.01, and the substance abuse
2356 assessment or evaluation must be administered by a qualified
2357 professional as defined in s. 397.311. The court may also
2358 require such person to participate in and comply with treatment
2359 and services identified as necessary, including, when
2360 appropriate and available, participation in and compliance with
2361 a mental health court program established under chapter 394 or a
2362 treatment-based drug court program established under s. 397.334.
2363 Adjudication of a child as dependent based upon evidence of harm
2364 as defined in s. 39.01(37)(g) ~~s. 39.01(34)(g)~~ demonstrates good
2365 cause, and the court shall require the parent whose actions
2366 caused the harm to submit to a substance abuse disorder
2367 assessment or evaluation and to participate and comply with
2368 treatment and services identified in the assessment or
2369 evaluation as being necessary. In addition to supervision by the
2370 department, the court, including the mental health court program
2371 or the treatment-based drug court program, may oversee the
2372 progress and compliance with treatment by a person who has
2373 custody or is requesting custody of the child. The court may
2374 impose appropriate available sanctions for noncompliance upon a
2375 person who has custody or is requesting custody of the child or

2376 make a finding of noncompliance for consideration in determining
 2377 whether an alternative placement of the child is in the child's
 2378 best interests. Any order entered under this subparagraph may be
 2379 made only upon good cause shown. This subparagraph does not
 2380 authorize placement of a child with a person seeking custody of
 2381 the child, other than the child's parent or legal custodian, who
 2382 requires mental health or substance abuse disorder treatment.

2383 2. Require, if the court deems necessary, the parties to
 2384 participate in dependency mediation.

2385 3. Require placement of the child either under the
 2386 protective supervision of an authorized agent of the department
 2387 in the home of one or both of the child's parents or in the home
 2388 of a relative of the child or another adult approved by the
 2389 court, or in the custody of the department. Protective
 2390 supervision continues until the court terminates it or until the
 2391 child reaches the age of 18, whichever date is first. Protective
 2392 supervision shall be terminated by the court whenever the court
 2393 determines that permanency has been achieved for the child,
 2394 whether with a parent, another relative, or a legal custodian,
 2395 and that protective supervision is no longer needed. The
 2396 termination of supervision may be with or without retaining
 2397 jurisdiction, at the court's discretion, and shall in either
 2398 case be considered a permanency option for the child. The order
 2399 terminating supervision by the department must set forth the
 2400 powers of the custodian of the child and include the powers

2401 ordinarily granted to a guardian of the person of a minor unless
 2402 otherwise specified. Upon the court's termination of supervision
 2403 by the department, further judicial reviews are not required if
 2404 permanency has been established for the child.

2405 4. Determine whether the child has a strong attachment to
 2406 the prospective permanent guardian and whether such guardian has
 2407 a strong commitment to permanently caring for the child.

2408 Section 52. Paragraph (c) of subsection (2) of section
 2409 61.13, Florida Statutes, is amended to read:

2410 61.13 Support of children; parenting and time-sharing;
 2411 powers of court.—

2412 (2)

2413 (c) The court shall determine all matters relating to
 2414 parenting and time-sharing of each minor child of the parties in
 2415 accordance with the best interests of the child and in
 2416 accordance with the Uniform Child Custody Jurisdiction and
 2417 Enforcement Act, except that modification of a parenting plan
 2418 and time-sharing schedule requires a showing of a substantial
 2419 and material change of circumstances.

2420 1. It is the public policy of this state that each minor
 2421 child has frequent and continuing contact with both parents
 2422 after the parents separate or the marriage of the parties is
 2423 dissolved and to encourage parents to share the rights and
 2424 responsibilities, and joys, of childrearing. Unless otherwise
 2425 provided in this section or agreed to by the parties, there is a

2426 rebuttable presumption that equal time-sharing of a minor child
2427 is in the best interests of the minor child. To rebut this
2428 presumption, a party must prove by a preponderance of the
2429 evidence that equal time-sharing is not in the best interests of
2430 the minor child. Except when a time-sharing schedule is agreed
2431 to by the parties and approved by the court, the court must
2432 evaluate all of the factors set forth in subsection (3) and make
2433 specific written findings of fact when creating or modifying a
2434 time-sharing schedule.

2435 2. The court shall order that the parental responsibility
2436 for a minor child be shared by both parents unless the court
2437 finds that shared parental responsibility would be detrimental
2438 to the child. In determining detriment to the child, the court
2439 shall consider:

2440 a. Evidence of domestic violence, as defined in s. 741.28;

2441 b. Whether either parent has or has had reasonable cause
2442 to believe that he or she or his or her minor child or children
2443 are or have been in imminent danger of becoming victims of an
2444 act of domestic violence as defined in s. 741.28 or sexual
2445 violence as defined in s. 784.046(1)(c) by the other parent
2446 against the parent or against the child or children whom the
2447 parents share in common regardless of whether a cause of action
2448 has been brought or is currently pending in the court;

2449 c. Whether either parent has or has had reasonable cause
2450 to believe that his or her minor child or children are or have

2451 | been in imminent danger of becoming victims of an act of abuse
2452 | ~~as defined in s. 39.01(2), abandonment as defined in s.~~
2453 | ~~39.01(1),~~ or neglect, as those terms are defined in s. 39.01, ~~s.~~
2454 | ~~39.01(50)~~ by the other parent against the child or children whom
2455 | the parents share in common regardless of whether a cause of
2456 | action has been brought or is currently pending in the court;
2457 | and

2458 | d. Any other relevant factors.

2459 | 3. The following evidence creates a rebuttable presumption
2460 | that shared parental responsibility is detrimental to the child:

2461 | a. A parent has been convicted of a misdemeanor of the
2462 | first degree or higher involving domestic violence, as defined
2463 | in s. 741.28 and chapter 775;

2464 | b. A parent meets the criteria of s. 39.806(1)(d); or

2465 | c. A parent has been convicted of or had adjudication
2466 | withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and
2467 | at the time of the offense:

2468 | (I) The parent was 18 years of age or older.

2469 | (II) The victim was under 18 years of age or the parent
2470 | believed the victim to be under 18 years of age.

2471 |
2472 | If the presumption is not rebutted after the convicted parent is
2473 | advised by the court that the presumption exists, shared
2474 | parental responsibility, including time-sharing with the child,
2475 | and decisions made regarding the child, may not be granted to

2476 the convicted parent. However, the convicted parent is not
2477 relieved of any obligation to provide financial support. If the
2478 court determines that shared parental responsibility would be
2479 detrimental to the child, it may order sole parental
2480 responsibility and make such arrangements for time-sharing as
2481 specified in the parenting plan as will best protect the child
2482 or abused spouse from further harm. Whether or not there is a
2483 conviction of any offense of domestic violence or child abuse or
2484 the existence of an injunction for protection against domestic
2485 violence, the court shall consider evidence of domestic violence
2486 or child abuse as evidence of detriment to the child.

2487 4. In ordering shared parental responsibility, the court
2488 may consider the expressed desires of the parents and may grant
2489 to one party the ultimate responsibility over specific aspects
2490 of the child's welfare or may divide those responsibilities
2491 between the parties based on the best interests of the child.
2492 Areas of responsibility may include education, health care, and
2493 any other responsibilities that the court finds unique to a
2494 particular family.

2495 5. The court shall order sole parental responsibility for
2496 a minor child to one parent, with or without time-sharing with
2497 the other parent if it is in the best interests of the minor
2498 child.

2499 6. There is a rebuttable presumption against granting
2500 time-sharing with a minor child if a parent has been convicted

2501 of or had adjudication withheld for an offense enumerated in s.
 2502 943.0435(1)(h)1.a., and at the time of the offense:

2503 a. The parent was 18 years of age or older.

2504 b. The victim was under 18 years of age or the parent
 2505 believed the victim to be under 18 years of age.

2506
 2507 A parent may rebut the presumption upon a specific finding in
 2508 writing by the court that the parent poses no significant risk
 2509 of harm to the child and that time-sharing is in the best
 2510 interests of the minor child. If the presumption is rebutted,
 2511 the court must consider all time-sharing factors in subsection
 2512 (3) when developing a time-sharing schedule.

2513 7. Access to records and information pertaining to a minor
 2514 child, including, but not limited to, medical, dental, and
 2515 school records, may not be denied to either parent. Full rights
 2516 under this subparagraph apply to either parent unless a court
 2517 order specifically revokes these rights, including any
 2518 restrictions on these rights as provided in a domestic violence
 2519 injunction. A parent having rights under this subparagraph has
 2520 the same rights upon request as to form, substance, and manner
 2521 of access as are available to the other parent of a child,
 2522 including, without limitation, the right to in-person
 2523 communication with medical, dental, and education providers.

2524 Section 53. Paragraph (d) of subsection (4) of section
 2525 119.071, Florida Statutes, is amended to read:

2526 119.071 General exemptions from inspection or copying of
 2527 public records.—

2528 (4) AGENCY PERSONNEL INFORMATION.—

2529 (d)1. For purposes of this paragraph, the term:

2530 a. "Home addresses" means the dwelling location at which
 2531 an individual resides and includes the physical address, mailing
 2532 address, street address, parcel identification number, plot
 2533 identification number, legal property description, neighborhood
 2534 name and lot number, GPS coordinates, and any other descriptive
 2535 property information that may reveal the home address.

2536 b. "Judicial assistant" means a court employee assigned to
 2537 the following class codes: 8140, 8150, 8310, and 8320.

2538 c. "Telephone numbers" includes home telephone numbers,
 2539 personal cellular telephone numbers, personal pager telephone
 2540 numbers, and telephone numbers associated with personal
 2541 communications devices.

2542 2.a. The home addresses, telephone numbers, dates of
 2543 birth, and photographs of active or former sworn law enforcement
 2544 personnel or of active or former civilian personnel employed by
 2545 a law enforcement agency, including correctional and
 2546 correctional probation officers, personnel of the Department of
 2547 Children and Families whose duties include the investigation of
 2548 abuse, neglect, exploitation, fraud, theft, or other criminal
 2549 activities, personnel of the Department of Health whose duties
 2550 are to support the investigation of child abuse or neglect, and

2551 personnel of the Department of Revenue or local governments
 2552 whose responsibilities include revenue collection and
 2553 enforcement or child support enforcement; the names, home
 2554 addresses, telephone numbers, photographs, dates of birth, and
 2555 places of employment of the spouses and children of such
 2556 personnel; and the names and locations of schools and day care
 2557 facilities attended by the children of such personnel are exempt
 2558 from s. 119.07(1) and s. 24(a), Art. I of the State
 2559 Constitution.

2560 b. The home addresses, telephone numbers, dates of birth,
 2561 and photographs of current or former nonsworn investigative
 2562 personnel of the Department of Financial Services whose duties
 2563 include the investigation of fraud, theft, workers' compensation
 2564 coverage requirements and compliance, other related criminal
 2565 activities, or state regulatory requirement violations; the
 2566 names, home addresses, telephone numbers, dates of birth, and
 2567 places of employment of the spouses and children of such
 2568 personnel; and the names and locations of schools and day care
 2569 facilities attended by the children of such personnel are exempt
 2570 from s. 119.07(1) and s. 24(a), Art. I of the State
 2571 Constitution.

2572 c. The home addresses, telephone numbers, dates of birth,
 2573 and photographs of current or former nonsworn investigative
 2574 personnel of the Office of Financial Regulation's Bureau of
 2575 Financial Investigations whose duties include the investigation

2576 of fraud, theft, other related criminal activities, or state
2577 regulatory requirement violations; the names, home addresses,
2578 telephone numbers, dates of birth, and places of employment of
2579 the spouses and children of such personnel; and the names and
2580 locations of schools and day care facilities attended by the
2581 children of such personnel are exempt from s. 119.07(1) and s.
2582 24(a), Art. I of the State Constitution.

2583 d. The home addresses, telephone numbers, dates of birth,
2584 and photographs of current or former firefighters certified in
2585 compliance with s. 633.408; the names, home addresses, telephone
2586 numbers, photographs, dates of birth, and places of employment
2587 of the spouses and children of such firefighters; and the names
2588 and locations of schools and day care facilities attended by the
2589 children of such firefighters are exempt from s. 119.07(1) and
2590 s. 24(a), Art. I of the State Constitution.

2591 e. The home addresses, dates of birth, and telephone
2592 numbers of current or former justices of the Supreme Court,
2593 district court of appeal judges, circuit court judges, and
2594 county court judges, and ~~of~~ current judicial assistants; the
2595 names, home addresses, telephone numbers, dates of birth, and
2596 places of employment of the spouses and children of current or
2597 former justices and judges and ~~of~~ current judicial assistants;
2598 and the names and locations of schools and day care facilities
2599 attended by the children of current or former justices and
2600 judges and of current judicial assistants are exempt from s.

2601 119.07(1) and s. 24(a), Art. I of the State Constitution. This
2602 sub-subparagraph is subject to the Open Government Sunset Review
2603 Act in accordance with s. 119.15 and shall stand repealed on
2604 October 2, 2028, unless reviewed and saved from repeal through
2605 reenactment by the Legislature.

2606 f. The home addresses, telephone numbers, dates of birth,
2607 and photographs of current or former state attorneys, assistant
2608 state attorneys, statewide prosecutors, or assistant statewide
2609 prosecutors; the names, home addresses, telephone numbers,
2610 photographs, dates of birth, and places of employment of the
2611 spouses and children of current or former state attorneys,
2612 assistant state attorneys, statewide prosecutors, or assistant
2613 statewide prosecutors; and the names and locations of schools
2614 and day care facilities attended by the children of current or
2615 former state attorneys, assistant state attorneys, statewide
2616 prosecutors, or assistant statewide prosecutors are exempt from
2617 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2618 g. The home addresses, dates of birth, and telephone
2619 numbers of general magistrates, special magistrates, judges of
2620 compensation claims, administrative law judges of the Division
2621 of Administrative Hearings, and child support enforcement
2622 hearing officers; the names, home addresses, telephone numbers,
2623 dates of birth, and places of employment of the spouses and
2624 children of general magistrates, special magistrates, judges of
2625 compensation claims, administrative law judges of the Division

2626 of Administrative Hearings, and child support enforcement
2627 hearing officers; and the names and locations of schools and day
2628 care facilities attended by the children of general magistrates,
2629 special magistrates, judges of compensation claims,
2630 administrative law judges of the Division of Administrative
2631 Hearings, and child support enforcement hearing officers are
2632 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2633 Constitution.

2634 h. The home addresses, telephone numbers, dates of birth,
2635 and photographs of current or former human resource, labor
2636 relations, or employee relations directors, assistant directors,
2637 managers, or assistant managers of any local government agency
2638 or water management district whose duties include hiring and
2639 firing employees, labor contract negotiation, administration, or
2640 other personnel-related duties; the names, home addresses,
2641 telephone numbers, dates of birth, and places of employment of
2642 the spouses and children of such personnel; and the names and
2643 locations of schools and day care facilities attended by the
2644 children of such personnel are exempt from s. 119.07(1) and s.
2645 24(a), Art. I of the State Constitution.

2646 i. The home addresses, telephone numbers, dates of birth,
2647 and photographs of current or former code enforcement officers;
2648 the names, home addresses, telephone numbers, dates of birth,
2649 and places of employment of the spouses and children of such
2650 personnel; and the names and locations of schools and day care

2651 facilities attended by the children of such personnel are exempt
2652 from s. 119.07(1) and s. 24(a), Art. I of the State
2653 Constitution.

2654 j. The home addresses, telephone numbers, places of
2655 employment, dates of birth, and photographs of current or former
2656 guardians ad litem, as defined in s. 39.01 ~~s. 39.820~~; the names,
2657 home addresses, telephone numbers, dates of birth, and places of
2658 employment of the spouses and children of such persons; and the
2659 names and locations of schools and day care facilities attended
2660 by the children of such persons are exempt from s. 119.07(1) and
2661 s. 24(a), Art. I of the State Constitution.

2662 k. The home addresses, telephone numbers, dates of birth,
2663 and photographs of current or former juvenile probation
2664 officers, juvenile probation supervisors, detention
2665 superintendents, assistant detention superintendents, juvenile
2666 justice detention officers I and II, juvenile justice detention
2667 officer supervisors, juvenile justice residential officers,
2668 juvenile justice residential officer supervisors I and II,
2669 juvenile justice counselors, juvenile justice counselor
2670 supervisors, human services counselor administrators, senior
2671 human services counselor administrators, rehabilitation
2672 therapists, and social services counselors of the Department of
2673 Juvenile Justice; the names, home addresses, telephone numbers,
2674 dates of birth, and places of employment of spouses and children
2675 of such personnel; and the names and locations of schools and

2676 day care facilities attended by the children of such personnel
2677 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2678 Constitution.

2679 1. The home addresses, telephone numbers, dates of birth,
2680 and photographs of current or former public defenders, assistant
2681 public defenders, criminal conflict and civil regional counsel,
2682 and assistant criminal conflict and civil regional counsel; the
2683 names, home addresses, telephone numbers, dates of birth, and
2684 places of employment of the spouses and children of current or
2685 former public defenders, assistant public defenders, criminal
2686 conflict and civil regional counsel, and assistant criminal
2687 conflict and civil regional counsel; and the names and locations
2688 of schools and day care facilities attended by the children of
2689 current or former public defenders, assistant public defenders,
2690 criminal conflict and civil regional counsel, and assistant
2691 criminal conflict and civil regional counsel are exempt from s.
2692 119.07(1) and s. 24(a), Art. I of the State Constitution.

2693 m. The home addresses, telephone numbers, dates of birth,
2694 and photographs of current or former investigators or inspectors
2695 of the Department of Business and Professional Regulation; the
2696 names, home addresses, telephone numbers, dates of birth, and
2697 places of employment of the spouses and children of such current
2698 or former investigators and inspectors; and the names and
2699 locations of schools and day care facilities attended by the
2700 children of such current or former investigators and inspectors

2701 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 2702 Constitution.

2703 n. The home addresses, telephone numbers, and dates of
 2704 birth of county tax collectors; the names, home addresses,
 2705 telephone numbers, dates of birth, and places of employment of
 2706 the spouses and children of such tax collectors; and the names
 2707 and locations of schools and day care facilities attended by the
 2708 children of such tax collectors are exempt from s. 119.07(1) and
 2709 s. 24(a), Art. I of the State Constitution.

2710 o. The home addresses, telephone numbers, dates of birth,
 2711 and photographs of current or former personnel of the Department
 2712 of Health whose duties include, or result in, the determination
 2713 or adjudication of eligibility for social security disability
 2714 benefits, the investigation or prosecution of complaints filed
 2715 against health care practitioners, or the inspection of health
 2716 care practitioners or health care facilities licensed by the
 2717 Department of Health; the names, home addresses, telephone
 2718 numbers, dates of birth, and places of employment of the spouses
 2719 and children of such personnel; and the names and locations of
 2720 schools and day care facilities attended by the children of such
 2721 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
 2722 the State Constitution.

2723 p. The home addresses, telephone numbers, dates of birth,
 2724 and photographs of current or former impaired practitioner
 2725 consultants who are retained by an agency or current or former

2726 employees of an impaired practitioner consultant whose duties
2727 result in a determination of a person's skill and safety to
2728 practice a licensed profession; the names, home addresses,
2729 telephone numbers, dates of birth, and places of employment of
2730 the spouses and children of such consultants or their employees;
2731 and the names and locations of schools and day care facilities
2732 attended by the children of such consultants or employees are
2733 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2734 Constitution.

2735 q. The home addresses, telephone numbers, dates of birth,
2736 and photographs of current or former emergency medical
2737 technicians or paramedics certified under chapter 401; the
2738 names, home addresses, telephone numbers, dates of birth, and
2739 places of employment of the spouses and children of such
2740 emergency medical technicians or paramedics; and the names and
2741 locations of schools and day care facilities attended by the
2742 children of such emergency medical technicians or paramedics are
2743 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2744 Constitution.

2745 r. The home addresses, telephone numbers, dates of birth,
2746 and photographs of current or former personnel employed in an
2747 agency's office of inspector general or internal audit
2748 department whose duties include auditing or investigating waste,
2749 fraud, abuse, theft, exploitation, or other activities that
2750 could lead to criminal prosecution or administrative discipline;

2751 the names, home addresses, telephone numbers, dates of birth,
 2752 and places of employment of spouses and children of such
 2753 personnel; and the names and locations of schools and day care
 2754 facilities attended by the children of such personnel are exempt
 2755 from s. 119.07(1) and s. 24(a), Art. I of the State
 2756 Constitution.

2757 s. The home addresses, telephone numbers, dates of birth,
 2758 and photographs of current or former directors, managers,
 2759 supervisors, nurses, and clinical employees of an addiction
 2760 treatment facility; the home addresses, telephone numbers,
 2761 photographs, dates of birth, and places of employment of the
 2762 spouses and children of such personnel; and the names and
 2763 locations of schools and day care facilities attended by the
 2764 children of such personnel are exempt from s. 119.07(1) and s.
 2765 24(a), Art. I of the State Constitution. For purposes of this
 2766 sub-subparagraph, the term "addiction treatment facility" means
 2767 a county government, or agency thereof, that is licensed
 2768 pursuant to s. 397.401 and provides substance abuse prevention,
 2769 intervention, or clinical treatment, including any licensed
 2770 service component described in s. 397.311(26).

2771 t. The home addresses, telephone numbers, dates of birth,
 2772 and photographs of current or former directors, managers,
 2773 supervisors, and clinical employees of a child advocacy center
 2774 that meets the standards of s. 39.3035(2) and fulfills the
 2775 screening requirement of s. 39.3035(3), and the members of a

2776 Child Protection Team as described in s. 39.303 whose duties
 2777 include supporting the investigation of child abuse or sexual
 2778 abuse, child abandonment, child neglect, and child exploitation
 2779 or to provide services as part of a multidisciplinary case
 2780 review team; the names, home addresses, telephone numbers,
 2781 photographs, dates of birth, and places of employment of the
 2782 spouses and children of such personnel and members; and the
 2783 names and locations of schools and day care facilities attended
 2784 by the children of such personnel and members are exempt from s.
 2785 119.07(1) and s. 24(a), Art. I of the State Constitution.

2786 u. The home addresses, telephone numbers, places of
 2787 employment, dates of birth, and photographs of current or former
 2788 staff and domestic violence advocates, as defined in s.
 2789 90.5036(1)(b), of domestic violence centers certified by the
 2790 Department of Children and Families under chapter 39; the names,
 2791 home addresses, telephone numbers, places of employment, dates
 2792 of birth, and photographs of the spouses and children of such
 2793 personnel; and the names and locations of schools and day care
 2794 facilities attended by the children of such personnel are exempt
 2795 from s. 119.07(1) and s. 24(a), Art. I of the State
 2796 Constitution.

2797 v. The home addresses, telephone numbers, dates of birth,
 2798 and photographs of current or former inspectors or investigators
 2799 of the Department of Agriculture and Consumer Services; the
 2800 names, home addresses, telephone numbers, dates of birth, and

2801 places of employment of the spouses and children of current or
 2802 former inspectors or investigators; and the names and locations
 2803 of schools and day care facilities attended by the children of
 2804 current or former inspectors or investigators are exempt from s.
 2805 119.07(1) and s. 24(a), Art. I of the State Constitution. This
 2806 sub-subparagraph is subject to the Open Government Sunset Review
 2807 Act in accordance with s. 119.15 and shall stand repealed on
 2808 October 2, 2028, unless reviewed and saved from repeal through
 2809 reenactment by the Legislature.

2810 3. An agency that is the custodian of the information
 2811 specified in subparagraph 2. and that is not the employer of the
 2812 officer, employee, justice, judge, or other person specified in
 2813 subparagraph 2. must maintain the exempt status of that
 2814 information only if the officer, employee, justice, judge, other
 2815 person, or employing agency of the designated employee submits a
 2816 written and notarized request for maintenance of the exemption
 2817 to the custodial agency. The request must state under oath the
 2818 statutory basis for the individual's exemption request and
 2819 confirm the individual's status as a party eligible for exempt
 2820 status.

2821 4.a. A county property appraiser, as defined in s.
 2822 192.001(3), or a county tax collector, as defined in s.
 2823 192.001(4), who receives a written and notarized request for
 2824 maintenance of the exemption pursuant to subparagraph 3. must
 2825 comply by removing the name of the individual with exempt status

2826 and the instrument number or Official Records book and page
2827 number identifying the property with the exempt status from all
2828 publicly available records maintained by the property appraiser
2829 or tax collector. For written requests received on or before
2830 July 1, 2021, a county property appraiser or county tax
2831 collector must comply with this sub-subparagraph by October 1,
2832 2021. A county property appraiser or county tax collector may
2833 not remove the street address, legal description, or other
2834 information identifying real property within the agency's
2835 records so long as a name or personal information otherwise
2836 exempt from inspection and copying pursuant to this section is
2837 not associated with the property or otherwise displayed in the
2838 public records of the agency.

2839 b. Any information restricted from public display,
2840 inspection, or copying under sub-subparagraph a. must be
2841 provided to the individual whose information was removed.

2842 5. An officer, an employee, a justice, a judge, or other
2843 person specified in subparagraph 2. may submit a written request
2844 for the release of his or her exempt information to the
2845 custodial agency. The written request must be notarized and must
2846 specify the information to be released and the party authorized
2847 to receive the information. Upon receipt of the written request,
2848 the custodial agency must release the specified information to
2849 the party authorized to receive such information.

2850 6. The exemptions in this paragraph apply to information

2851 held by an agency before, on, or after the effective date of the
2852 exemption.

2853 7. Information made exempt under this paragraph may be
2854 disclosed pursuant to s. 28.2221 to a title insurer authorized
2855 pursuant to s. 624.401 and its affiliates as defined in s.
2856 624.10; a title insurance agent or title insurance agency as
2857 defined in s. 626.841(1) or (2), respectively; or an attorney
2858 duly admitted to practice law in this state and in good standing
2859 with The Florida Bar.

2860 8. The exempt status of a home address contained in the
2861 Official Records is maintained only during the period when a
2862 protected party resides at the dwelling location. Upon
2863 conveyance of real property after October 1, 2021, and when such
2864 real property no longer constitutes a protected party's home
2865 address as defined in sub-subparagraph 1.a., the protected party
2866 must submit a written request to release the removed information
2867 to the county recorder. The written request to release the
2868 removed information must be notarized, must confirm that a
2869 protected party's request for release is pursuant to a
2870 conveyance of his or her dwelling location, and must specify the
2871 Official Records book and page, instrument number, or clerk's
2872 file number for each document containing the information to be
2873 released.

2874 9. Upon the death of a protected party as verified by a
2875 certified copy of a death certificate or court order, any party

2876 can request the county recorder to release a protected
2877 decedent's removed information unless there is a related request
2878 on file with the county recorder for continued removal of the
2879 decedent's information or unless such removal is otherwise
2880 prohibited by statute or by court order. The written request to
2881 release the removed information upon the death of a protected
2882 party must attach the certified copy of a death certificate or
2883 court order and must be notarized, must confirm the request for
2884 release is due to the death of a protected party, and must
2885 specify the Official Records book and page number, instrument
2886 number, or clerk's file number for each document containing the
2887 information to be released. A fee may not be charged for the
2888 release of any document pursuant to such request.

2889 10. Except as otherwise expressly provided in this
2890 paragraph, this paragraph is subject to the Open Government
2891 Sunset Review Act in accordance with s. 119.15 and shall stand
2892 repealed on October 2, 2024, unless reviewed and saved from
2893 repeal through reenactment by the Legislature.

2894 Section 54. Subsection (4) of section 322.09, Florida
2895 Statutes, is amended to read:

2896 322.09 Application of minors; responsibility for
2897 negligence or misconduct of minor.—

2898 (4) Notwithstanding subsections (1) and (2), if a
2899 caregiver of a minor who is under the age of 18 years and is in
2900 out-of-home care as defined in s. 39.01 ~~s. 39.01(55)~~, an

2901 authorized representative of a residential group home at which
 2902 such a minor resides, the caseworker at the agency at which the
 2903 state has placed the minor, or a guardian ad litem specifically
 2904 authorized by the minor's caregiver to sign for a learner's
 2905 driver license signs the minor's application for a learner's
 2906 driver license, that caregiver, group home representative,
 2907 caseworker, or guardian ad litem does not assume any obligation
 2908 or become liable for any damages caused by the negligence or
 2909 willful misconduct of the minor by reason of having signed the
 2910 application. Before signing the application, the caseworker,
 2911 authorized group home representative, or guardian ad litem shall
 2912 notify the caregiver or other responsible party of his or her
 2913 intent to sign and verify the application.

2914 Section 55. Paragraph (p) of subsection (4) of section
 2915 394.495, Florida Statutes, is amended to read:

2916 394.495 Child and adolescent mental health system of care;
 2917 programs and services.—

2918 (4) The array of services may include, but is not limited
 2919 to:

2920 (p) Trauma-informed services for children who have
 2921 suffered sexual exploitation as defined in s. 39.01(80)(g) ~~s.~~
 2922 ~~39.01(77)(g)~~.

2923 Section 56. Section 627.746, Florida Statutes, is amended
 2924 to read:

2925 627.746 Coverage for minors who have a learner's driver

2926 license; additional premium prohibited.—An insurer that issues
 2927 an insurance policy on a private passenger motor vehicle to a
 2928 named insured who is a caregiver of a minor who is under the age
 2929 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
 2930 ~~39.01(55)~~ may not charge an additional premium for coverage of
 2931 the minor while the minor is operating the insured vehicle, for
 2932 the period of time that the minor has a learner's driver
 2933 license, until such time as the minor obtains a driver license.

2934 Section 57. Paragraph (c) of subsection (1) of section
 2935 934.255, Florida Statutes, is amended to read:

2936 934.255 Subpoenas in investigations of sexual offenses.—

2937 (1) As used in this section, the term:

2938 (c) "Sexual abuse of a child" means a criminal offense
 2939 based on any conduct described in s. 39.01(80) ~~s. 39.01(77)~~.

2940 Section 58. Subsection (5) of section 960.065, Florida
 2941 Statutes, is amended to read:

2942 960.065 Eligibility for awards.—

2943 (5) A person is not ineligible for an award pursuant to
 2944 paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) if that
 2945 person is a victim of sexual exploitation of a child as defined
 2946 in s. 39.01(80)(g) ~~s. 39.01(77)(g)~~.

2947 Section 59. The Division of Law Revision is requested to
 2948 prepare a reviser's bill for the 2025 Regular Session of the
 2949 Legislature to substitute the term "Statewide Guardian Ad Litem
 2950 Office" for the term "Guardian Ad Litem Program" or "Statewide

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2951 | Guardian Ad Litem Program" throughout the Florida Statutes.

2952 | Section 60. This act shall take effect July 1, 2024.