

By the Committee on Children, Families, and Elder Affairs; and  
Senator Bernard

586-03170-25

2025976c1

1                   A bill to be entitled  
2           An act relating to court-appointed psychologists;  
3           amending s. 61.122, F.S.; requiring a party to seek  
4           disqualification of a court-appointed psychologist  
5           before filing an administrative complaint against the  
6           psychologist; providing for disqualification motions;  
7           revising provisions for award of costs and attorney  
8           fees in supplemental actions against court-appointed  
9           psychologists; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13           Section 1. Subsections (2), (3), and (4) of section 61.122,  
14 Florida Statutes, are amended to read:

15           61.122 Parenting plan recommendation; presumption of  
16 psychologist's good faith; prerequisite to parent's filing suit;  
17 award of fees, costs, reimbursement.-

18           (2) An administrative complaint against a court-appointed  
19 psychologist which relates to a parenting plan recommendation  
20 conducted by the psychologist may not be filed anonymously. The  
21 individual who files an administrative complaint must include in  
22 the complaint his or her name, address, and telephone number.  
23 Such an administrative complaint may not be filed until the  
24 complainant has moved to disqualify the selection of the  
25 psychologist pursuant to subsection (3).

26           (3) A parent who desires to disqualify the selection of the  
27 file a legal action against a court-appointed psychologist or  
28 file an administrative complaint against the court-appointed  
29 psychologist who has acted in good faith in developing a

586-03170-25

2025976c1

30 parenting plan recommendation must petition the judge who is  
31 presiding ~~presided~~ over the dissolution of marriage, case of  
32 domestic violence, or paternity matter involving the  
33 relationship of a child and a parent, including time-sharing of  
34 children, to appoint an alternative ~~another~~ psychologist. Upon  
35 the parent's showing of good cause, the court shall appoint  
36 another psychologist. The court shall determine who is  
37 responsible for all court costs and attorney ~~attorney's~~ fees  
38 associated with making such an appointment.

39 (4) In any supplemental ~~If a legal action, whether it be a~~  
40 ~~civil action, a criminal action, or an administrative~~  
41 ~~proceeding, is~~ filed against a court-appointed psychologist  
42 based upon his or her participation in a dissolution of  
43 marriage, case of domestic violence, or paternity matter  
44 involving the relationship of a child and a parent, including  
45 time-sharing of children, the claimant is responsible for all  
46 reasonable costs and reasonable attorney ~~attorney's~~ fees  
47 associated with the supplemental action for both parties if the  
48 psychologist is held not liable. If the psychologist is held  
49 liable in civil court, the psychologist must pay all reasonable  
50 costs and reasonable attorney's fees for the claimant.

51 Section 2. This act shall take effect July 1, 2025.