

26 F.S.; requiring guardians ad litem and attorneys ad
27 litem to have certain training; amending s. 39.202,
28 F.S.; requiring that certain confidential records be
29 released to the guardian ad litem and attorney ad
30 litem; conforming a cross-reference; amending s.
31 39.402, F.S.; requiring parents to consent to provide
32 certain information to the guardian ad litem and
33 attorney ad litem; conforming provisions to changes
34 made by the act; amending s. 39.4023, F.S.; requiring
35 notice of a multidisciplinary team staffing be
36 provided to a child's guardian ad litem and attorney
37 ad litem; amending s. 39.407, F.S.; conforming
38 provisions to changes made by the act; amending s.
39 39.4085, F.S.; providing a goal of permanency;
40 conforming provisions to changes made by the act;
41 amending s. 39.522, F.S.; conforming provisions to
42 changes made by the act; amending s. 39.6012, F.S.;
43 requiring a case plan to include written descriptions
44 of certain activities; conforming a cross-reference;
45 amending s. 39.6035, F.S.; requiring a transition plan
46 be developed in collaboration with the child's
47 guardian ad litem; amending s. 39.701, F.S.; requiring
48 certain notice be given to an attorney ad litem;
49 conforming provisions to changes made by the act;
50 amending s. 39.815, F.S.; conforming provisions to

51 changes made by the act; amending s. 39.827, F.S.;

52 authorizing a child's guardian ad litem and attorney

53 ad litem to inspect certain records; amending s.

54 39.8296, F.S.; requiring the training program for

55 guardians ad litem to be updated regularly; requiring

56 the Statewide Guardian Ad Litem Office to provide

57 oversight and technical assistance to attorneys ad

58 litem; specifying certain requirements of the

59 Statewide Guardian Ad Litem Office; providing

60 legislative findings and intent; amending s. 39.8298,

61 F.S.; authorizing the executive director of the

62 Statewide Guardian Ad Litem Office to create or

63 designate local direct-support organizations in

64 addition to a state direct-support organization;

65 conforming provisions to changes made by the act;

66 creating s. 1009.898, F.S.; creating the Pathway to

67 Prosperity Program to be administered by the

68 Department of Education; authorizing the department to

69 provide certain grants to youth who are transitioning

70 from foster care to independent living; requiring

71 grants to extend for a certain period of time after a

72 recipient is reunited with his or her parents;

73 amending ss. 39.302, 39.521, 322.09, 394.495, 627.746,

74 768.28, 934.255, and 960.065, F.S.; conforming cross-

75 references; providing an effective date;

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

Section 1. Paragraph (j) of subsection (1) of section 39.001, Florida Statutes, is amended to read:

39.001 Purposes and intent; personnel standards and screening.—

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

(j) To ensure that, when reunification or adoption is not possible, the child will be prepared for alternative permanency goals or placements, to include, but not be limited to, long-term foster care, independent living, custody to a relative on a permanent basis with or without legal guardianship, or custody to a foster parent or legal custodian on a permanent basis with or without legal guardianship. It is the intent of the Legislature that a goal of permanency include helping a child who is transitioning from foster care to independent living maintain naturally occurring, lifelong, and kin-like connections with a supportive adult.

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

39.00145 Records concerning children.—

(2) Notwithstanding any other provision of this chapter, all records in a child's case record must be made available for inspection, upon request, to the child who is the subject of the

101 case record and to the child's caregiver, guardian ad litem, or
102 attorney ad litem, if one has been appointed.

103 (a) A complete and accurate copy of any record in a
104 child's case record must be provided, upon request and at no
105 cost, to the child who is the subject of the case record and to
106 the child's caregiver, guardian ad litem, or attorney ad litem,
107 if one has been appointed.

108 (b) The department shall release the information in a
109 manner and setting that are appropriate to the age and maturity
110 of the child and the nature of the information being released,
111 which may include the release of information in a therapeutic
112 setting, if appropriate. This paragraph does not deny the child
113 access to his or her records.

114 (c) If a child or the child's caregiver, guardian ad
115 litem, or attorney ad litem, if one has been appointed, requests
116 access to the child's case record, any person or entity that
117 fails to provide any record in the case record under assertion
118 of a claim of exemption from the public records requirements of
119 chapter 119, or fails to provide access within a reasonable
120 time, is subject to sanctions and penalties under s. 119.10.

121 (d) For the purposes of this subsection, the term
122 "caregiver" is limited to parents, legal custodians, permanent
123 guardians, or foster parents; employees of a residential home,
124 institution, facility, or agency at which the child resides; and
125 other individuals legally responsible for a child's welfare in a

126 residential setting.

127 Section 3. Paragraph (a) of subsection (2) of section
128 39.00146, Florida Statutes, is amended to read:

129 39.00146 Case record face sheet.—

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

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

138 1. The child's name and date of birth.‡

139 2. The current county of residence and the county of
140 residence at the time of the referral.‡

141 3. The reason for the referral and any family safety
142 concerns.‡

143 4. The personal identifying information of the parents or
144 legal custodians who had custody of the child at the time of the
145 referral, including name, date of birth, and county of
146 residence.‡

147 5. The date of removal from the home.‡~~and~~

148 6. The name and contact information of the attorney or
149 attorneys assigned to the case in all capacities, including the
150 attorney or attorneys that represent the department and the

151 | parents, and the guardian ad litem, ~~if one has been appointed.~~

152 | Section 4. Paragraph (b) of subsection (2) of section
 153 | 39.0016, Florida Statutes, is amended to read:

154 | 39.0016 Education of abused, neglected, and abandoned
 155 | children; agency agreements; children having or suspected of
 156 | having a disability.—

157 | (2) AGENCY AGREEMENTS.—

158 | (b) The department shall enter into agreements with
 159 | district school boards or other local educational entities
 160 | regarding education and related services for children known to
 161 | the department who are of school age and children known to the
 162 | department who are younger than school age but who would
 163 | otherwise qualify for services from the district school board.
 164 | Such agreements must ~~shall~~ include, but are not limited to:

165 | 1. A requirement that the department shall:

166 | a. Ensure that children known to the department are
 167 | enrolled in school or in the best educational setting that meets
 168 | the needs of the child. The agreement must ~~shall~~ provide for
 169 | continuing the enrollment of a child known to the department at
 170 | the school of origin when possible if it is in the best interest
 171 | of the child, with the goal of minimal disruption of education.

172 | b. Notify the school and school district in which a child
 173 | known to the department is enrolled of the name and phone number
 174 | of the child known to the department caregiver and caseworker
 175 | for child safety purposes.

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176 c. Establish a protocol for the department to share
177 information about a child known to the department with the
178 school district, consistent with the Family Educational Rights
179 and Privacy Act, since the sharing of information will assist
180 each agency in obtaining education and related services for the
181 benefit of the child. The protocol must require the district
182 school boards or other local educational entities to access the
183 department's Florida Safe Families Network to obtain information
184 about children known to the department, consistent with the
185 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s.
186 1232g.

187 d. Notify the school district of the department's case
188 planning for a child known to the department, both at the time
189 of plan development and plan review. Within the plan development
190 or review process, the school district may provide information
191 regarding the child known to the department if the school
192 district deems it desirable and appropriate.

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

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

197 a. Provide the department with a general listing of the
198 services and information available from the district school
199 board to facilitate educational access for a child known to the
200 department.

201 b. Identify all educational and other services provided by
202 the school and school district which the school district
203 believes are reasonably necessary to meet the educational needs
204 of a child known to the department.

205 c. Determine whether transportation is available for a
206 child known to the department when such transportation will
207 avoid a change in school assignment due to a change in
208 residential placement. Recognizing that continued enrollment in
209 the same school throughout the time the child known to the
210 department is in out-of-home care is preferable unless
211 enrollment in the same school would be unsafe or otherwise
212 impractical, the department, the district school board, and the
213 Department of Education shall assess the availability of
214 federal, charitable, or grant funding for such transportation.

215 d. Provide individualized student intervention or an
216 individual educational plan when a determination has been made
217 through legally appropriate criteria that intervention services
218 are required. The intervention or individual educational plan
219 must include strategies to enable the child known to the
220 department to maximize the attainment of educational goals.

221 3. A requirement that the department and the district
222 school board shall cooperate in accessing the services and
223 supports needed for a child known to the department who has or
224 is suspected of having a disability to receive an appropriate
225 education consistent with the Individuals with Disabilities

226 Education Act and state implementing laws, rules, and
 227 assurances. Coordination of services for a child known to the
 228 department who has or is suspected of having a disability may
 229 include:

- 230 a. Referral for screening.
- 231 b. Sharing of evaluations between the school district and
 232 the department where appropriate.
- 233 c. Provision of education and related services appropriate
 234 for the needs and abilities of the child known to the
 235 department.
- 236 d. Coordination of services and plans between the school
 237 and the residential setting to avoid duplication or conflicting
 238 service plans.
- 239 e. Appointment of a surrogate parent, consistent with the
 240 Individuals with Disabilities Education Act and pursuant to
 241 subsection (3), for educational purposes for a child known to
 242 the department who qualifies.
- 243 f. For each child known to the department 14 years of age
 244 and older, transition planning by the department and all
 245 providers, including the department's independent living program
 246 staff and the guardian ad litem of the child, to meet the
 247 requirements of the local school district for educational
 248 purposes.

249 Section 5. Subsections (8) through (87) of section 39.01,
 250 Florida Statutes, are renumbered as subsections (9) through

251 (88), respectively, present subsections (9) and (36) are
 252 amended, and a new subsection (8) is added to that section, to
 253 read:

254 39.01 Definitions.—When used in this chapter, unless the
 255 context otherwise requires:

256 (8) "Attorney ad litem" means an attorney appointed by the
 257 court to represent a child in an attorney-client relationship
 258 under the rules regulating The Florida Bar.

259 (9) "Caregiver" means the parent, legal custodian,
 260 permanent guardian, adult household member, or other person
 261 responsible for a child's welfare as defined in subsection
 262 (55) ~~(54)~~.

263 (36) "Institutional child abuse or neglect" means
 264 situations of known or suspected child abuse or neglect in which
 265 the person allegedly perpetrating the child abuse or neglect is
 266 an employee of a public or private school, public or private day
 267 care center, residential home, institution, facility, or agency
 268 or any other person at such institution responsible for the
 269 child's welfare as defined in subsection (55) ~~(54)~~.

270 Section 6. Subsection (13) is added to section 39.013,
 271 Florida Statutes, to read:

272 39.013 Procedures and jurisdiction; right to counsel.—

273 (13) The court may appoint an attorney ad litem for a
 274 child if the court believes the child is in need of such
 275 representation and determines that the child has a rational and

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276 factual understanding of the proceedings and sufficient present
277 ability to consult with an attorney with a reasonable degree of
278 rational understanding.

279 Section 7. Section 39.01305, Florida Statutes, is amended
280 to read:

281 39.01305 Appointment of an attorney ad litem for a
282 dependent child ~~with certain special needs.~~

283 (1)~~(a)~~ The Legislature finds that~~:~~

284 ~~1.~~ all children in proceedings under this chapter have
285 important interests at stake, such as health, safety, and well-
286 being and the need to obtain permanency, and while all children
287 are represented by guardians ad litem in proceedings under this
288 chapter, some children may also need representation by an
289 attorney ad litem.

290 ~~2. A dependent child who has certain special needs has a~~
291 ~~particular need for an attorney to represent the dependent child~~
292 ~~in proceedings under this chapter, as well as in fair hearings~~
293 ~~and appellate proceedings, so that the attorney may address the~~
294 ~~child's medical and related needs and the services and supports~~
295 ~~necessary for the child to live successfully in the community.~~

296 ~~(b) The Legislature recognizes the existence of~~
297 ~~organizations that provide attorney representation to children~~
298 ~~in certain jurisdictions throughout the state. Further, the~~
299 ~~statewide Guardian Ad Litem Program provides best interest~~
300 ~~representation for dependent children in every jurisdiction in~~

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301 ~~accordance with state and federal law. The Legislature,~~
302 ~~therefore, does not intend that funding provided for~~
303 ~~representation under this section supplant proven and existing~~
304 ~~organizations representing children. Instead, the Legislature~~
305 ~~intends that funding provided for representation under this~~
306 ~~section be an additional resource for the representation of more~~
307 ~~children in these jurisdictions, to the extent necessary to meet~~
308 ~~the requirements of this chapter, with the cooperation of~~
309 ~~existing local organizations or through the expansion of those~~
310 ~~organizations. The Legislature encourages the expansion of pro~~
311 ~~bono representation for children. This section is not intended~~
312 ~~to limit the ability of a pro bono attorney to appear on behalf~~
313 ~~of a child.~~

314 ~~(2) As used in this section, the term "dependent child"~~
315 ~~means a child who is subject to any proceeding under this~~
316 ~~chapter. The term does not require that a child be adjudicated~~
317 ~~dependent for purposes of this section.~~

318 ~~(2)(3)~~ The court may appoint an attorney ad litem shall be
319 appointed for a dependent child if the court believes the child
320 is in need of such representation and determines that the child
321 has a rational and factual understanding of the proceedings and
322 sufficient present ability to consult with an attorney with a
323 reasonable degree of rational understanding who:

324 ~~(a) Resides in a skilled nursing facility or is being~~
325 ~~considered for placement in a skilled nursing home;~~

326 ~~(b) Is prescribed a psychotropic medication but declines~~
 327 ~~assent to the psychotropic medication;~~

328 ~~(c) Has a diagnosis of a developmental disability as~~
 329 ~~defined in s. 393.063;~~

330 ~~(d) Is being placed in a residential treatment center or~~
 331 ~~being considered for placement in a residential treatment~~
 332 ~~center; or~~

333 ~~(e) Is a victim of human trafficking as defined in s.~~
 334 ~~787.06(2)(d).~~

335 (3)(a)-(4)(a) Before a court may appoint an attorney ad
 336 litem, who may be compensated pursuant to this section, the
 337 court must request a recommendation from the Statewide Guardian
 338 Ad Litem Office for an attorney who is willing to represent a
 339 child without additional compensation. If such an attorney is
 340 available within 15 days after the court's request, the court
 341 must appoint such attorney as the ~~that~~ attorney ad litem for the
 342 child. However, the court may appoint a compensated attorney ad
 343 litem within the 15-day period if the Statewide Guardian Ad
 344 Litem Office informs the court that the office is unable ~~it will~~
 345 ~~not be able~~ to recommend an attorney who is willing to represent
 346 a child without additional compensation within that time period.

347 (b) A court order appointing ~~After~~ an attorney ad litem
 348 under this section must be in writing. ~~is appointed, the~~
 349 ~~appointment continues in effect until the attorney is allowed to~~
 350 ~~withdraw or is discharged by~~ The court must discharge ~~or until~~

351 ~~the case is dismissed.~~ an attorney ad litem who is appointed
352 under this section if the need for such representation is
353 resolved ~~to represent the child shall provide the complete range~~
354 ~~of legal services, from the removal from home or from the~~
355 ~~initial appointment through all available appellate proceedings.~~
356 With the permission of the court, the attorney ad litem ~~may for~~
357 ~~the dependent child~~ may arrange for supplemental or separate
358 counsel to represent the child in appellate proceedings. ~~A court~~
359 ~~order appointing an attorney under this section must be in~~
360 ~~writing.~~

361 ~~(4)-(5)~~ Unless the attorney ad litem has agreed to provide
362 pro bono services, an appointed attorney ad litem ~~or~~
363 ~~organization~~ must be adequately compensated. All appointed
364 attorneys ad litem ~~and organizations~~, including pro bono
365 attorneys ad litem, must be provided with access to funding for
366 expert witnesses, depositions, and other due process costs of
367 litigation. Payment of attorney fees and case-related due
368 process costs are subject to appropriations and review by the
369 Justice Administrative Commission for reasonableness. The
370 Justice Administrative Commission shall contract with attorneys
371 ad litem appointed by the court. Attorney fees may not exceed
372 \$1,000 per child per year.

373 ~~(6)~~ ~~The department shall develop procedures to identify a~~
374 ~~dependent child who has a special need specified under~~
375 ~~subsection (3) and to request that a court appoint an attorney~~

376 ~~for the child.~~

377 ~~(7) The department may adopt rules to administer this~~
 378 ~~section.~~

379 ~~(8) This section does not limit the authority of the court~~
 380 ~~to appoint an attorney for a dependent child in a proceeding~~
 381 ~~under this chapter.~~

382 (5)~~(9)~~ Implementation of this section is subject to
 383 appropriations expressly made for that purpose.

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

386 39.0132 Oaths, records, and confidential information.—

387 (3) The clerk shall keep all court records required by
 388 this chapter separate from other records of the circuit court.
 389 All court records required by this chapter may ~~shall~~ not be open
 390 to inspection by the public. All records may ~~shall~~ be inspected
 391 only upon order of the court by persons deemed by the court to
 392 have a proper interest therein, except that, subject to ~~the~~
 393 ~~provisions of s. 63.162, a child, and~~ the provisions of s. 63.162, a child, and the parents of the child
 394 and their attorneys, the guardian ad litem, criminal conflict
 395 and civil regional counsels, law enforcement agencies, ~~and~~ the
 396 department and its designees, and the attorney ad litem, if one
 397 is appointed, ~~shall~~ always have the right to inspect and copy
 398 any official record pertaining to the child. The Justice
 399 Administrative Commission may inspect court dockets required by
 400 this chapter as necessary to audit compensation of court-

401 appointed attorneys ad litem. If the docket is insufficient for
 402 purposes of the audit, the commission may petition the court for
 403 additional documentation as necessary and appropriate. The court
 404 may permit authorized representatives of recognized
 405 organizations compiling statistics for proper purposes to
 406 inspect and make abstracts from official records, under whatever
 407 conditions upon their use and disposition the court may deem
 408 proper, and may punish by contempt proceedings any violation of
 409 those conditions.

410 Section 9. Paragraph (a) of subsection (3) of section
 411 39.0136, Florida Statutes, is amended to read:

412 39.0136 Time limitations; continuances.—

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

414 (a) Periods of delay resulting from a continuance granted
 415 at the request of the child's ~~counsel or the child's~~ guardian ad
 416 litem, or attorney ad litem, if one is appointed, ~~if the child~~
 417 ~~is of sufficient capacity to express reasonable consent, at the~~
 418 ~~request or with the consent of the child.~~ The court must
 419 consider the best interests of the child when determining
 420 periods of delay under this section.

421 Section 10. Subsection (4) of section 39.0139, Florida
 422 Statutes, is amended to read:

423 39.0139 Visitation or other contact; restrictions.—

424 (4) HEARINGS.—A person who meets any of the criteria set
 425 forth in paragraph (3) (a) who seeks to begin or resume contact

426 with the child ~~has victim shall have~~ the right to an evidentiary
427 hearing to determine whether contact is appropriate.

428 (a) ~~Before~~ Prior to the hearing, the court shall appoint
429 ~~an attorney ad litem or~~ a guardian ad litem for the child if one
430 has not already been appointed. The appointed guardian ad litem
431 and an Any attorney ad litem, if one is ~~or guardian ad litem~~
432 appointed, must ~~shall~~ have special training in the dynamics of
433 child sexual abuse.

434 (b) At the hearing, the court may receive and rely upon
435 any relevant and material evidence submitted to the extent of
436 its probative value, including written and oral reports or
437 recommendations from the Child Protection Team, the child's
438 therapist, the child's guardian ad litem, or the child's
439 attorney ad litem, if one is appointed, even if these reports,
440 recommendations, and evidence may not be admissible under the
441 rules of evidence.

442 (c) If the court finds the person proves by clear and
443 convincing evidence that the safety, well-being, and physical,
444 mental, and emotional health of the child is not endangered by
445 such visitation or other contact, the presumption in subsection
446 (3) is rebutted and the court may allow visitation or other
447 contact. The court shall enter a written order setting forth
448 findings of fact and specifying any conditions it finds
449 necessary to protect the child.

450 (d) If the court finds the person did not rebut the

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451 presumption established in subsection (3), the court shall enter
452 a written order setting forth findings of fact and prohibiting
453 or restricting visitation or other contact with the child.

454 Section 11. Paragraphs (d) and (t) of subsection (2) of
455 section 39.202, Florida Statutes, are amended to read:

456 39.202 Confidentiality of reports and records in cases of
457 child abuse or neglect; exception.—

458 (2) Except as provided in subsection (4), access to such
459 records, excluding the name of, or other identifying information
460 with respect to, the reporter which may only ~~shall~~ be released
461 ~~only~~ as provided in subsection (5), may only ~~shall~~ be granted
462 ~~only~~ to the following persons, officials, and agencies:

463 (d) The parent or legal custodian of any child who is
464 alleged to have been abused, abandoned, or neglected, and his or
465 her attorney; the child; the guardian ad litem; the attorney ad
466 litem, if one is appointed; or the child, and their attorneys,
467 ~~including~~ any attorney representing the a child in other civil
468 or criminal proceedings. This access must ~~shall~~ be made
469 available no later than 60 days after the department receives
470 the initial report of abuse, neglect, or abandonment. However,
471 any information otherwise made confidential or exempt by law may
472 ~~shall~~ not be released pursuant to this paragraph.

473 (t) Persons with whom the department is seeking to place
474 the child or to whom placement has been granted, including
475 foster parents for whom an approved home study has been

476 | conducted, the designee of a licensed child-caring agency as
 477 | defined in s. 39.01 ~~s. 39.01(41)~~, an approved relative or
 478 | nonrelative with whom a child is placed pursuant to s. 39.402,
 479 | preadoptive parents for whom a favorable preliminary adoptive
 480 | home study has been conducted, adoptive parents, or an adoption
 481 | entity acting on behalf of preadoptive or adoptive parents.

482 | Section 12. Paragraphs (b) and (c) of subsection (11) and
 483 | paragraph (a) of subsection (14) of section 39.402, Florida
 484 | Statutes, are amended to read:

485 | 39.402 Placement in a shelter.—

486 | (11)

487 | (b) The court shall request that the parents consent to
 488 | provide access to the child's medical records and provide
 489 | information to the court, the department or its contract
 490 | agencies, and the ~~any~~ guardian ad litem and ~~or~~ attorney ad
 491 | litem, if one is appointed, for the child. If a parent is
 492 | unavailable or unable to consent or withholds consent and the
 493 | court determines access to the records and information is
 494 | necessary to provide services to the child, the court shall
 495 | issue an order granting access. The court may also order the
 496 | parents to provide all known medical information to the
 497 | department and to any others granted access under this
 498 | subsection.

499 | (c) The court shall request that the parents consent to
 500 | provide access to the child's child care records, early

501 education program records, or other educational records and
 502 provide information to the court, the department or its contract
 503 agencies, and the any guardian ad litem and ~~or~~ attorney ad
 504 litem, if one is appointed, for the child. If a parent is
 505 unavailable or unable to consent or withholds consent and the
 506 court determines access to the records and information is
 507 necessary to provide services to the child, the court shall
 508 issue an order granting access.

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

510 (a) Periods of delay resulting from a continuance granted
 511 at the request or with the consent of the child's ~~counsel or the~~
 512 ~~child's~~ guardian ad litem or attorney ad litem, if one is ~~has~~
 513 ~~been~~ appointed by the court, ~~or, if the child is of sufficient~~
 514 ~~capacity to express reasonable consent, at the request or with~~
 515 ~~the consent of the child's attorney or the child's guardian ad~~
 516 ~~litem, if one has been appointed by the court, and the child.~~

517 Section 13. Paragraph (d) of subsection (3) of section
 518 39.4023, Florida Statutes, is amended to read:

519 39.4023 Placement and education transitions; transition
 520 plans.—

521 (3) PLACEMENT TRANSITIONS.—

522 (d) Transition planning.—

523 1. If the supportive services provided pursuant to
 524 paragraph (c) have not been successful to make the maintenance
 525 of the placement suitable or if there are other circumstances

526 | that require the child to be moved, the department or the
 527 | community-based care lead agency must convene a
 528 | multidisciplinary team staffing as required under s. 39.4022
 529 | before the child's placement is changed, or within 72 hours of
 530 | moving the child in an emergency situation, for the purpose of
 531 | developing an appropriate transition plan.

532 | 2. A placement change may occur immediately in an
 533 | emergency situation without convening a multidisciplinary team
 534 | staffing. However, a multidisciplinary team staffing must be
 535 | held within 72 hours after the emergency situation arises.

536 | 3. The department or the community-based care lead agency
 537 | must provide written notice of the planned move at least 14 days
 538 | before the move or within 72 hours after an emergency situation,
 539 | to the greatest extent possible and consistent with the child's
 540 | needs and preferences. The notice must include the reason a
 541 | placement change is necessary. A copy of the notice must be
 542 | filed with the court and be provided to all of the following:

543 | a. The child, unless he or she, due to age or capacity, is
 544 | unable to comprehend the written notice, which will necessitate
 545 | the department or lead agency to provide notice in an age-
 546 | appropriate and capacity-appropriate alternative manner.~~†~~

547 | b. The child's parents, unless prohibited by court order.~~†~~

548 | c. The child's out-of-home caregiver.~~†~~

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

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

551 appointed. ~~and~~
 552 f. The attorney for the department.
 553 4. The transition plan must be developed through
 554 cooperation among the persons included in subparagraph 3., and
 555 such persons must share any relevant information necessary for
 556 its development. Subject to the child's needs and preferences,
 557 the transition plan must meet the requirements of s.
 558 409.1415(2)(b)8. and exclude any placement changes that occur
 559 between 7 p.m. and 8 a.m.

560 5. The department or the community-based care lead agency
 561 shall file the transition plan with the court within 48 hours
 562 after the creation of such plan and provide a copy of the plan
 563 to the persons included in subparagraph 3.

564 Section 14. Paragraph (f) of subsection (3) of section
 565 39.407, Florida Statutes, is amended to read:

566 39.407 Medical, psychiatric, and psychological examination
 567 and treatment of child; physical, mental, or substance abuse
 568 examination of person with or requesting child custody.-

569 (3)

570 (f)1. The department shall fully inform the court of the
 571 child's medical and behavioral status as part of the social
 572 services report prepared for each judicial review hearing held
 573 for a child for whom psychotropic medication has been prescribed
 574 or provided under this subsection. As a part of the information
 575 provided to the court, the department shall furnish copies of

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576 all pertinent medical records concerning the child which have
577 been generated since the previous hearing. On its own motion or
578 on good cause shown by any party, including the ~~any~~ guardian ad
579 litem, ~~attorney,~~ or attorney ad litem, if one is ~~who has been~~
580 appointed ~~to represent the child or the child's interests,~~ the
581 court may review the status more frequently than required in
582 this subsection.

583 2. The court may, in the best interests of the child,
584 order the department to obtain a medical opinion addressing
585 whether the continued use of the medication under the
586 circumstances is safe and medically appropriate.

587 Section 15. Paragraphs (m), (t), and (u) of subsection (1)
588 of section 39.4085, Florida Statutes, are amended to read:

589 39.4085 Goals for dependent children; responsibilities;
590 education.—

591 (1) The Legislature finds that the design and delivery of
592 child welfare services should be directed by the principle that
593 the health and safety of children, including the freedom from
594 abuse, abandonment, or neglect, is of paramount concern and,
595 therefore, establishes the following goals for children in
596 shelter or foster care:

597 (m) To receive meaningful case management and planning
598 that will quickly return the child to his or her family or move
599 the child on to other forms of permanency. A goal of permanency
600 includes helping a child who is transitioning from foster care

601 to independent living maintain naturally occurring, lifelong,
602 and kin-like connections with a supportive adult.

603 (t) To have a guardian ad litem appointed ~~to represent,~~
604 ~~within reason, their best interests~~ and, if appropriate, an
605 attorney ad litem appointed ~~to represent their legal interests;~~
606 the guardian ad litem and attorney ad litem, if one is
607 appointed, shall have immediate and unlimited access to the
608 children they represent.

609 (u) To have all their records available for review by
610 their guardian ad litem and attorney ad litem, if one is
611 appointed, if they deem such review necessary.

612
613 This subsection establishes goals and not rights. This
614 subsection does not require the delivery of any particular
615 service or level of service in excess of existing
616 appropriations. A person does not have a cause of action against
617 the state or any of its subdivisions, agencies, contractors,
618 subcontractors, or agents, based upon the adoption of or failure
619 to provide adequate funding for the achievement of these goals
620 by the Legislature. This subsection does not require the
621 expenditure of funds to meet the goals established in this
622 subsection except those funds specifically appropriated for such
623 purpose.

624 Section 16. Paragraph (c) of subsection (3) of section
625 39.522, Florida Statutes, is amended to read:

626 39.522 Postdisposition change of custody.—

627 (3)

628 (c)1. The department or community-based care lead agency
629 must notify a current caregiver who has been in the physical
630 custody placement for at least 9 consecutive months and who
631 meets all the established criteria in paragraph (b) of an intent
632 to change the physical custody of the child, and a
633 multidisciplinary team staffing must be held in accordance with
634 ss. 39.4022 and 39.4023 at least 21 days before the intended
635 date for the child's change in physical custody, unless there is
636 an emergency situation as defined in s. 39.4022(2)(b). If there
637 is not a unanimous consensus decision reached by the
638 multidisciplinary team, the department's official position must
639 be provided to the parties within the designated time period as
640 provided for in s. 39.4022.

641 2. A caregiver who objects to the department's official
642 position on the change in physical custody must notify the court
643 and the department or community-based care lead agency of his or
644 her objection and the intent to request an evidentiary hearing
645 in writing in accordance with this section within 5 days after
646 receiving notice of the department's official position provided
647 under subparagraph 1. The transition of the child to the new
648 caregiver may not begin before the expiration of the 5-day
649 period within which the current caregiver may object.

650 3. Upon the department or community-based care lead agency

651 receiving written notice of the caregiver's objection, the
 652 change to the child's physical custody must be placed in
 653 abeyance and the child may not be transitioned to a new physical
 654 placement without a court order, unless there is an emergency
 655 situation as defined in s. 39.4022(2) (b).

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

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

664 ~~b. Appoint an attorney for the child who is the subject of~~
 665 ~~the permanent custody proceeding, in addition to the guardian ad~~
 666 ~~litem, if one is appointed;~~

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

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

672 Section 17. Paragraph (c) of subsection (1) and paragraph
 673 (c) of subsection (3) of section 39.6012, Florida Statutes, are
 674 amended to read:

675 39.6012 Case plan tasks; services.—

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

678 (c) If there is evidence of harm as defined in s.
679 39.01(35)(g) ~~s. 39.01(34)(g)~~, the case plan must include as a
680 required task for the parent whose actions caused the harm that
681 the parent submit to a substance abuse disorder assessment or
682 evaluation and participate and comply with treatment and
683 services identified in the assessment or evaluation as being
684 necessary.

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

687 (c) When appropriate, for a child who is 13 years of age
688 or older, a written description of the programs and services
689 that will help the child prepare for the transition from foster
690 care to independent living. The written description must include
691 activities that will help the child develop relationships,
692 coping skills, and emotional well-being.

693 Section 18. Subsections (1), (2), and (3) of section
694 39.6035, Florida Statutes, are amended to read:

695 39.6035 Transition plan.—

696 (1) During the year after a child reaches 16 years of age,
697 the department and the community-based care lead agency, in
698 collaboration with the caregiver, the child's guardian ad litem,
699 and any other individual whom the child would like to include,
700 shall assist the child in developing a transition plan. The

701 required transition plan is in addition to standard case
702 management requirements. The transition plan must address
703 specific options for the child to use in obtaining services,
704 including housing, health insurance, education, financial
705 literacy, a driver license, and workforce support and employment
706 services. The plan must also include tasks to establish and
707 maintain naturally occurring mentoring relationships and other
708 personal support services. The transition plan may be as
709 detailed as the child chooses. This plan must be updated as
710 needed before the child reaches 18 years of age and after the
711 child reaches 18 years of age if he or she is receiving funding
712 under s. 409.1451(2). In developing and updating the transition
713 plan, the department and the community-based care lead agency
714 shall:

715 (a) Provide the child with the documentation required
716 under s. 39.701(3).

717 (b) Coordinate the transition plan with the independent
718 living provisions in the case plan and, for a child with
719 disabilities, the Individuals with Disabilities Education Act
720 transition plan.

721 (c) Provide information for the financial literacy
722 curriculum for youth offered by the Department of Financial
723 Services.

724 (d) Provide information about independent living services
725 and programs which is tailored to the individual needs and plans

726 of the child, including, at a minimum, the specific benefits of
727 each program and how such benefits meet the needs and plans of
728 the child, the advantages and disadvantages of participation in
729 each program considering the needs and plans of the child, and
730 the financial value of each program to the child. The community-
731 based care lead agency shall discuss this information with the
732 child, and the child must sign a document indicating that he or
733 she:

- 734 1. Received such information.
- 735 2. Discussed such information with the community-based
736 care lead agency representative.
- 737 3. Understands how such services and benefits would meet
738 his or her individual needs.
- 739 4. Understands how such services would assist him or her
740 in accomplishing future plans.

741 (2) The department, the child's guardian ad litem, and the
742 child shall schedule a time, date, and place for a meeting to
743 assist the child in drafting the transition plan. The time,
744 date, and place must be convenient for the child, the child's
745 guardian ad litem, and any other individual whom the child would
746 like to include. This meeting must be conducted in the child's
747 primary language.

748 (3) The transition plan shall be reviewed periodically
749 with the child, the department, the child's guardian ad litem,
750 and other individuals of the child's choice and updated when

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751 necessary before each judicial review so long as the child or
752 young adult remains in care.

753 Section 19. Paragraph (f) of subsection (1) and paragraph
754 (a) of subsection (3) of section 39.701, Florida Statutes, are
755 amended to read:

756 39.701 Judicial review.—

757 (1) GENERAL PROVISIONS.—

758 (f) Notice of a judicial review hearing or a citizen
759 review panel hearing, and a copy of the motion for judicial
760 review, if any, must be served by the clerk of the court upon
761 all of the following persons, if available to be served,
762 regardless of whether the person was present at the previous
763 hearing at which the date, time, and location of the hearing was
764 announced:

765 1. The social service agency charged with the supervision
766 of care, custody, or guardianship of the child, if that agency
767 is not the movant.

768 2. The foster parent or legal custodian in whose home the
769 child resides.

770 3. The parents.

771 4. The guardian ad litem for the child, ~~or the~~
772 ~~representative of the guardian ad litem program if the program~~
773 ~~has been appointed.~~

774 5. The attorney ad litem for the child, if one is
775 appointed.

- 776 6. The child, if the child is 13 years of age or older.
- 777 7. Any preadoptive parent.
- 778 8. Such other persons as the court may direct.

779 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—

780 At each review hearing held under this subsection, the court
 781 shall give the child the opportunity to address the court and
 782 provide any information relevant to the child's best interest,
 783 particularly in relation to independent living transition
 784 services. The foster parent, legal custodian, ~~or~~ guardian ad
 785 litem, or attorney ad litem, if one is appointed, may also
 786 provide any information relevant to the child's best interest to
 787 the court. In addition to the review and report required under
 788 paragraphs (1) (a) and (2) (a), respectively, the court shall:

789 (a) Inquire about the life skills the child has acquired
 790 and whether those services are age appropriate, at the first
 791 judicial review hearing held subsequent to the child's 16th
 792 birthday. At the judicial review hearing, the department shall
 793 provide the court with a report that includes specific
 794 information related to the life skills that the child has
 795 acquired since the child's 13th birthday or since the date the
 796 child came into foster care, whichever came later. For any child
 797 who may meet the requirements for appointment of a guardian
 798 advocate under s. 393.12 or a guardian under chapter 744, the
 799 updated case plan must be developed in a face-to-face conference
 800 with the child, if appropriate; the child's attorney ad litem,

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801 if one is appointed; the child's ~~any court-appointed~~ guardian ad
802 litem; the temporary custodian of the child; and the parent of
803 the child, if the parent's rights have not been terminated.

804 Section 20. Subsection (2) of section 39.815, Florida
805 Statutes, is amended to read:

806 39.815 Appeal.—

807 (2) An attorney for the department shall represent the
808 state upon appeal. When a notice of appeal is filed in the
809 circuit court, the clerk shall notify the attorney for the
810 department, ~~together with~~ the attorney for the parent, the
811 guardian ad litem, and the any attorney ad litem, if one is
812 appointed for the child.

813 Section 21. Subsection (4) of section 39.827, Florida
814 Statutes, is amended to read:

815 39.827 Hearing for appointment of a guardian advocate.—

816 (4) The hearing under this section must ~~shall~~ remain
817 confidential and closed to the public. The clerk shall keep all
818 court records required by this part separate from other records
819 of the circuit court. All court records required by this part
820 are ~~shall be~~ confidential and exempt from ~~the provisions of~~ s.
821 119.07(1). All records may only ~~shall~~ be inspected ~~only~~ upon
822 order of the court by persons deemed by the court to have a
823 proper interest therein, except that a child, ~~and~~ the parents or
824 custodians of the child and their attorneys, ~~and~~ the department
825 and its designees, the guardian ad litem, and the attorney ad

826 litem, if one is appointed, ~~shall~~ always have the right to
827 inspect and copy any official record pertaining to the child.
828 The court may permit authorized representatives of recognized
829 organizations compiling statistics for proper purposes to
830 inspect and make abstracts from official records, under whatever
831 conditions upon their use and disposition the court may deem
832 proper, and may punish by contempt proceedings any violation of
833 those conditions. All information obtained pursuant to this part
834 in the discharge of official duty by any judge, employee of the
835 court, or authorized agent of the department is ~~shall be~~
836 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
837 may ~~shall~~ not be disclosed to anyone other than the authorized
838 personnel of the court or the department and its designees,
839 except upon order of the court.

840 Section 22. Paragraph (b) of subsection (2) of section
841 39.8296, Florida Statutes, is amended and subsection (3) is
842 added to that section to read:

843 39.8296 Statewide Guardian Ad Litem Office; legislative
844 findings and intent; creation; appointment of executive
845 director; duties of office.—

846 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
847 Statewide Guardian Ad Litem Office within the Justice
848 Administrative Commission. The Justice Administrative Commission
849 shall provide administrative support and service to the office
850 to the extent requested by the executive director within the

851 available resources of the commission. The Statewide Guardian Ad
852 Litem Office is not subject to control, supervision, or
853 direction by the Justice Administrative Commission in the
854 performance of its duties, but the employees of the office are
855 governed by the classification plan and salary and benefits plan
856 approved by the Justice Administrative Commission.

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

861 1. The office shall identify the resources required to
862 implement methods of collecting, reporting, and tracking
863 reliable and consistent case data.

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

866 3. The office, in consultation with local guardian ad
867 litem offices, shall develop statewide performance measures and
868 standards.

869 4. The office shall develop a guardian ad litem training
870 program, which shall include, but is not limited to, training on
871 the recognition of and responses to head trauma and brain injury
872 in a child under 6 years of age. The office shall establish a
873 curriculum committee to develop the training program specified
874 in this subparagraph. The curriculum committee shall include,
875 but not be limited to, dependency judges, directors of circuit

876 guardian ad litem programs, active certified guardians ad litem,
877 a mental health professional who specializes in the treatment of
878 children, a member of a child advocacy group, a representative
879 of a domestic violence advocacy group, an individual with a
880 degree in social work, and a social worker experienced in
881 working with victims and perpetrators of child abuse. The
882 training program must be updated regularly with or without
883 convening the curriculum committee.

884 5. The office shall review the various methods of funding
885 guardian ad litem programs, maximize the use of those funding
886 sources to the extent possible, and review the kinds of services
887 being provided by circuit guardian ad litem offices ~~programs~~.

888 6. The office shall determine the feasibility or
889 desirability of new concepts of organization, administration,
890 financing, or service delivery designed to preserve the civil
891 and constitutional rights and fulfill other needs of dependent
892 children.

893 7. The office shall provide oversight and technical
894 assistance to attorneys ad litem, including, but not limited to,
895 the following:

896 a. Develop an attorney ad litem training program in
897 collaboration with a curriculum committee consisting of
898 dependency court stakeholders, including, but not limited to,
899 dependency judges, representatives from legal aid programs
900 providing attorney ad litem representation, and at least one

901 attorney ad litem selected from the registry under s. 27.40 who
902 is representing a child. The training program must be updated
903 regularly with or without convening the curriculum committee.

904 b. Offer consultation and technical assistance to chief
905 judges who maintain a registry under s. 27.40 for the selection
906 of attorneys ad litem.

907 c. Assist with recruitment, training, and mentoring
908 efforts of attorneys ad litem as needed

909 ~~7. In an effort to promote normalcy and establish trust~~
910 ~~between a court-appointed volunteer guardian ad litem and a~~
911 ~~child alleged to be abused, abandoned, or neglected under this~~
912 ~~chapter, a guardian ad litem may transport a child. However, a~~
913 ~~guardian ad litem volunteer may not be required or directed by~~
914 ~~the program or a court to transport a child.~~

915 8. The office shall submit to the Governor, the President
916 of the Senate, the Speaker of the House of Representatives, and
917 the Chief Justice of the Supreme Court an interim report
918 describing the progress of the office in meeting the goals as
919 described in this section. The office shall submit to the
920 Governor, the President of the Senate, the Speaker of the House
921 of Representatives, and the Chief Justice of the Supreme Court a
922 proposed plan including alternatives for meeting the state's
923 guardian ad litem and attorney ad litem needs. This plan may
924 include recommendations for less than the entire state, may
925 include a phase-in system, and shall include estimates of the

926 cost of each of the alternatives. Each year the office shall
927 provide a status report and provide further recommendations to
928 address the need for guardian ad litem services and related
929 issues.

930 (3) HOPE FLORIDA.—

931 (a) The Legislature finds that a committed, caring adult
932 provides a lifeline for youth who are transitioning out of
933 foster care into independent living. Accordingly, it is the
934 intent of the Legislature that the Statewide Guardian Ad Litem
935 Office assist such youth in meeting supportive adults with the
936 hope of creating an ongoing relationship as the youth
937 transitions into living independently.

938 (b) The Statewide Guardian Ad Litem Office shall work with
939 a youth who is transitioning out of foster care into independent
940 living to identify at least one supportive adult to enter into a
941 formal agreement with the youth and file such agreement in the
942 youth's court file. If a supportive adult cannot be identified,
943 the Statewide Guardian Ad Litem Office must refer the youth to
944 Hope Florida.

945 (c) Hope Florida shall use the Hope Heroes Program within
946 the Department of Elderly Affairs or any faith-based agencies or
947 other resources to identify a supportive adult. It is the
948 responsibility of the adult and the youth to enter into a formal
949 agreement for an ongoing relationship and to file such agreement
950 in the youth's court file.

951 (d) The Statewide Guardian Ad Litem Office shall develop a
 952 mobile application that provides a user the capability to
 953 identify and locate resources for youth transitioning from
 954 foster care into independent living. The application must link
 955 to Hope Florida for the user to receive further assistance if
 956 needed.

957 Section 23. Section 39.8298, Florida Statutes, is amended
 958 to read:

959 39.8298 Guardian Ad Litem state and local direct-support
 960 organizations ~~organization.~~

961 (1) AUTHORITY.—The Statewide Guardian Ad Litem Office
 962 created under s. 39.8296 is authorized to create a state direct-
 963 support organization and to create or designate local direct-
 964 support organizations. The executive director of the Statewide
 965 Guardian Ad Litem Office is responsible for designating local
 966 direct-support organizations, which are subject to this section.
 967 For purposes of this section, unless otherwise referenced, the
 968 term "direct-support organization" includes the state direct-
 969 support organization and any local direct-support organizations
 970 that the executive director creates or designates.

971 (a) The direct-support organization must be a Florida
 972 corporation not for profit, incorporated under ~~the provisions of~~
 973 chapter 617. The direct-support organization is ~~shall be~~ exempt
 974 from paying fees under s. 617.0122.

975 (b) The direct-support organization must ~~shall~~ be

976 organized and operated to conduct programs and activities; raise
977 funds; request and receive grants, gifts, and bequests of
978 moneys; acquire, receive, hold, invest, and administer, in its
979 own name, securities, funds, objects of value, or other
980 property, real or personal; and make expenditures to or for the
981 direct or indirect benefit of the Statewide Guardian Ad Litem
982 Office and all guardian ad litem programs located within the
983 judicial circuits.

984 (c) If the executive director of the Statewide Guardian Ad
985 Litem Office determines that the direct-support organization is
986 operating in a manner that is inconsistent with the goals and
987 purposes of the Statewide Guardian Ad Litem Office or not acting
988 in the best interest of the state, the executive director may
989 terminate the organization's contract and thereafter the
990 organization may not use the name of the Statewide Guardian Ad
991 Litem Office.

992 (2) CONTRACTS ~~CONTRACT.~~—The state direct-support
993 organization and any local direct-support organization shall
994 operate under a written contract with the Statewide Guardian Ad
995 Litem Office. The written contract must, at a minimum, provide
996 for:

997 (a) Approval of the articles of incorporation and bylaws
998 of the direct-support organization by the executive director of
999 the Statewide Guardian Ad Litem Office.

1000 (b) Submission of an annual budget for the approval by the

1001 executive director of the Statewide Guardian Ad Litem Office.

1002 (c) The reversion without penalty to the Statewide
 1003 Guardian Ad Litem Office, or to the state if the Statewide
 1004 Guardian Ad Litem Office ceases to exist, of all moneys and
 1005 property held in trust by the state direct-support organization
 1006 for the Statewide Guardian Ad Litem Office if the state direct-
 1007 support organization ceases to exist or if the contract is
 1008 terminated.

1009 (d) The fiscal year of the direct-support organization,
 1010 which must begin July 1 of each year and end June 30 of the
 1011 following year.

1012 (e) The disclosure of material provisions of the contract
 1013 and the distinction between the Statewide Guardian Ad Litem
 1014 Office and the direct-support organization to donors of gifts,
 1015 contributions, or bequests, as well as on all promotional and
 1016 fundraising publications.

1017 (3) BOARD OF DIRECTORS.—The executive director of the
 1018 Statewide Guardian Ad Litem Office shall appoint a board of
 1019 directors for each ~~the~~ direct-support organization. The
 1020 executive director may designate employees of the Statewide
 1021 Guardian Ad Litem Office to serve on the board of directors of
 1022 each direct-support organization. Members of the boards ~~board~~
 1023 shall serve at the pleasure of the executive director.

1024 (4) USE OF PROPERTY AND SERVICES.—The executive director
 1025 of the Statewide Guardian Ad Litem Office:

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1026 (a) May authorize the use of facilities and property other
 1027 than money that are owned by the Statewide Guardian Ad Litem
 1028 Office to be used by a ~~the~~ direct-support organization.

1029 (b) May authorize the use of personal services provided by
 1030 employees of the Statewide Guardian Ad Litem Office to be used
 1031 by a direct-support organization. For the purposes of this
 1032 section, the term "personal services" includes full-time
 1033 personnel and part-time personnel as well as payroll processing.

1034 (c) May prescribe the conditions by which a ~~the~~ direct-
 1035 support organization may use property, facilities, or personal
 1036 services of the office.

1037 (d) May ~~shall~~ not authorize the use of property,
 1038 facilities, or personal services by a ~~of the~~ direct-support
 1039 organization if the organization does not provide equal
 1040 employment opportunities to all persons, regardless of race,
 1041 color, religion, sex, age, or national origin.

1042 (5) MONEYS.—Moneys of a ~~the~~ direct-support organization
 1043 must ~~may~~ be held in a separate depository account in the name of
 1044 the direct-support organization and subject to the provisions of
 1045 the contract with the Statewide Guardian Ad Litem Office.

1046 (6) ANNUAL AUDIT.—Each ~~The~~ direct-support organization
 1047 must ~~shall~~ provide for an annual financial audit in accordance
 1048 with s. 215.981.

1049 (7) LIMITS ON DIRECT-SUPPORT ORGANIZATIONS ~~ORGANIZATION~~.—A
 1050 ~~The~~ direct-support organization may ~~shall~~ not exercise any power

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1051 under s. 617.0302(12) or (16). ~~A No~~ state employee may not ~~shall~~
1052 receive compensation from a ~~the~~ direct-support organization for
1053 service on the board of directors or for services rendered to
1054 the direct-support organization.

1055 Section 24. Section 1009.898, Florida Statutes, is created
1056 to read:

1057 1009.898 Pathway to Prosperity Program.—

1058 (1) There is established the Pathway to Prosperity Program
1059 to be administered by the Department of Education. Through the
1060 program the department may administer grants in the following
1061 ways:

1062 (a) Grants to provide financial literacy instruction using
1063 the curriculum established in s. 1003.4282(3)(h) for youth who
1064 are transitioning from foster care into independent living in
1065 order to give the youth the necessary skills to successfully
1066 manage their personal finances.

1067 (b) Grants to provide SAT and ACT preparation, including
1068 one-on-one support, and fee waivers for the SAT and ACT for
1069 youth who are transitioning from foster care into independent
1070 living.

1071 (c) Grants to provide paid apprenticeships or trade
1072 careers for youth who are transitioning from foster care into
1073 independent living.

1074 (2) If a youth is reunified with his or her parent, the
1075 department shall extend any grants or supports the youth

1076 | received under this section for up to 6 months after
 1077 | reunification.

1078 | Section 25. Subsection (1) of section 39.302, Florida
 1079 | Statutes, is amended to read:

1080 | 39.302 Protective investigations of institutional child
 1081 | abuse, abandonment, or neglect.—

1082 | (1) The department shall conduct a child protective
 1083 | investigation of each report of institutional child abuse,
 1084 | abandonment, or neglect. Upon receipt of a report that alleges
 1085 | that an employee or agent of the department, or any other entity
 1086 | or person covered by s. 39.01(37) or (55) ~~s. 39.01(36) or (54)~~,
 1087 | acting in an official capacity, has committed an act of child
 1088 | abuse, abandonment, or neglect, the department shall initiate a
 1089 | child protective investigation within the timeframe established
 1090 | under s. 39.101(2) and notify the appropriate state attorney,
 1091 | law enforcement agency, and licensing agency, which shall
 1092 | immediately conduct a joint investigation, unless independent
 1093 | investigations are more feasible. When conducting investigations
 1094 | or having face-to-face interviews with the child, investigation
 1095 | visits shall be unannounced unless it is determined by the
 1096 | department or its agent that unannounced visits threaten the
 1097 | safety of the child. If a facility is exempt from licensing, the
 1098 | department shall inform the owner or operator of the facility of
 1099 | the report. Each agency conducting a joint investigation is
 1100 | entitled to full access to the information gathered by the

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1101 department in the course of the investigation. A protective
1102 investigation must include an interview with the child's parent
1103 or legal guardian. The department shall make a full written
1104 report to the state attorney within 3 business days after making
1105 the oral report. A criminal investigation shall be coordinated,
1106 whenever possible, with the child protective investigation of
1107 the department. Any interested person who has information
1108 regarding the offenses described in this subsection may forward
1109 a statement to the state attorney as to whether prosecution is
1110 warranted and appropriate. Within 15 days after the completion
1111 of the investigation, the state attorney shall report the
1112 findings to the department and shall include in the report a
1113 determination of whether or not prosecution is justified and
1114 appropriate in view of the circumstances of the specific case.

1115 Section 26. Paragraph (c) of subsection (1) of section
1116 39.521, Florida Statutes, is amended to read:

1117 39.521 Disposition hearings; powers of disposition.—

1118 (1) A disposition hearing shall be conducted by the court,
1119 if the court finds that the facts alleged in the petition for
1120 dependency were proven in the adjudicatory hearing, or if the
1121 parents or legal custodians have consented to the finding of
1122 dependency or admitted the allegations in the petition, have
1123 failed to appear for the arraignment hearing after proper
1124 notice, or have not been located despite a diligent search
1125 having been conducted.

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1126 (c) When any child is adjudicated by a court to be
1127 dependent, the court having jurisdiction of the child has the
1128 power by order to:

1129 1. Require the parent and, when appropriate, the legal
1130 guardian or the child to participate in treatment and services
1131 identified as necessary. The court may require the person who
1132 has custody or who is requesting custody of the child to submit
1133 to a mental health or substance abuse disorder assessment or
1134 evaluation. The order may be made only upon good cause shown and
1135 pursuant to notice and procedural requirements provided under
1136 the Florida Rules of Juvenile Procedure. The mental health
1137 assessment or evaluation must be administered by a qualified
1138 professional as defined in s. 39.01, and the substance abuse
1139 assessment or evaluation must be administered by a qualified
1140 professional as defined in s. 397.311. The court may also
1141 require such person to participate in and comply with treatment
1142 and services identified as necessary, including, when
1143 appropriate and available, participation in and compliance with
1144 a mental health court program established under chapter 394 or a
1145 treatment-based drug court program established under s. 397.334.
1146 Adjudication of a child as dependent based upon evidence of harm
1147 as defined in s. 39.01(35)(g) ~~s. 39.01(34)(g)~~ demonstrates good
1148 cause, and the court shall require the parent whose actions
1149 caused the harm to submit to a substance abuse disorder
1150 assessment or evaluation and to participate and comply with

1151 treatment and services identified in the assessment or
1152 evaluation as being necessary. In addition to supervision by the
1153 department, the court, including the mental health court program
1154 or the treatment-based drug court program, may oversee the
1155 progress and compliance with treatment by a person who has
1156 custody or is requesting custody of the child. The court may
1157 impose appropriate available sanctions for noncompliance upon a
1158 person who has custody or is requesting custody of the child or
1159 make a finding of noncompliance for consideration in determining
1160 whether an alternative placement of the child is in the child's
1161 best interests. Any order entered under this subparagraph may be
1162 made only upon good cause shown. This subparagraph does not
1163 authorize placement of a child with a person seeking custody of
1164 the child, other than the child's parent or legal custodian, who
1165 requires mental health or substance abuse disorder treatment.

1166 2. Require, if the court deems necessary, the parties to
1167 participate in dependency mediation.

1168 3. Require placement of the child either under the
1169 protective supervision of an authorized agent of the department
1170 in the home of one or both of the child's parents or in the home
1171 of a relative of the child or another adult approved by the
1172 court, or in the custody of the department. Protective
1173 supervision continues until the court terminates it or until the
1174 child reaches the age of 18, whichever date is first. Protective
1175 supervision shall be terminated by the court whenever the court

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1176 determines that permanency has been achieved for the child,
1177 whether with a parent, another relative, or a legal custodian,
1178 and that protective supervision is no longer needed. The
1179 termination of supervision may be with or without retaining
1180 jurisdiction, at the court's discretion, and shall in either
1181 case be considered a permanency option for the child. The order
1182 terminating supervision by the department must set forth the
1183 powers of the custodian of the child and include the powers
1184 ordinarily granted to a guardian of the person of a minor unless
1185 otherwise specified. Upon the court's termination of supervision
1186 by the department, further judicial reviews are not required if
1187 permanency has been established for the child.

1188 4. Determine whether the child has a strong attachment to
1189 the prospective permanent guardian and whether such guardian has
1190 a strong commitment to permanently caring for the child.

1191 Section 27. Subsection (4) of section 322.09, Florida
1192 Statutes, is amended to read:

1193 322.09 Application of minors; responsibility for
1194 negligence or misconduct of minor.—

1195 (4) Notwithstanding subsections (1) and (2), if a
1196 caregiver of a minor who is under the age of 18 years and is in
1197 out-of-home care as defined in s. 39.01 ~~s. 39.01(55)~~, an
1198 authorized representative of a residential group home at which
1199 such a minor resides, the caseworker at the agency at which the
1200 state has placed the minor, or a guardian ad litem specifically

1201 authorized by the minor's caregiver to sign for a learner's
 1202 driver license signs the minor's application for a learner's
 1203 driver license, that caregiver, group home representative,
 1204 caseworker, or guardian ad litem does not assume any obligation
 1205 or become liable for any damages caused by the negligence or
 1206 willful misconduct of the minor by reason of having signed the
 1207 application. Before signing the application, the caseworker,
 1208 authorized group home representative, or guardian ad litem shall
 1209 notify the caregiver or other responsible party of his or her
 1210 intent to sign and verify the application.

1211 Section 28. Paragraph (p) of subsection (4) of section
 1212 394.495, Florida Statutes, is amended to read:

1213 394.495 Child and adolescent mental health system of care;
 1214 programs and services.—

1215 (4) The array of services may include, but is not limited
 1216 to:

1217 (p) Trauma-informed services for children who have
 1218 suffered sexual exploitation as defined in s. 39.01(78)(g) s.
 1219 ~~39.01(77)(g)~~.

1220 Section 29. Section 627.746, Florida Statutes, is amended
 1221 to read:

1222 627.746 Coverage for minors who have a learner's driver
 1223 license; additional premium prohibited.—An insurer that issues
 1224 an insurance policy on a private passenger motor vehicle to a
 1225 named insured who is a caregiver of a minor who is under the age

1226 of 18 years and is in out-of-home care as defined in s. 39.01 ~~s.~~
 1227 ~~39.01(55)~~ may not charge an additional premium for coverage of
 1228 the minor while the minor is operating the insured vehicle, for
 1229 the period of time that the minor has a learner's driver
 1230 license, until such time as the minor obtains a driver license.

1231 Section 30. Paragraph (b) of subsection (9) of section
 1232 768.28, Florida Statutes, is amended to read:

1233 768.28 Waiver of sovereign immunity in tort actions;
 1234 recovery limits; civil liability for damages caused during a
 1235 riot; limitation on attorney fees; statute of limitations;
 1236 exclusions; indemnification; risk management programs.—

1237 (9)

1238 (b) As used in this subsection, the term:

1239 1. "Employee" includes any volunteer firefighter.

1240 2. "Officer, employee, or agent" includes, but is not
 1241 limited to, any health care provider when providing services
 1242 pursuant to s. 766.1115; any nonprofit independent college or
 1243 university located and chartered in this state which owns or
 1244 operates an accredited medical school, and its employees or
 1245 agents, when providing patient services pursuant to paragraph
 1246 (10) (f); any public defender or her or his employee or agent,
 1247 including an assistant public defender or an investigator; and
 1248 any member of a Child Protection Team, as defined in s. 39.01 ~~s.~~
 1249 ~~39.01(13)~~, when carrying out her or his duties as a team member
 1250 under the control, direction, and supervision of the state or

1251 any of its agencies or subdivisions.

1252 Section 31. Paragraph (c) of subsection (1) of section
1253 934.255, Florida Statutes, is amended to read:

1254 934.255 Subpoenas in investigations of sexual offenses.—

1255 (1) As used in this section, the term:

1256 (c) "Sexual abuse of a child" means a criminal offense
1257 based on any conduct described in s. 39.01(78) ~~s. 39.01(77)~~.

1258 Section 32. Subsection (5) of section 960.065, Florida
1259 Statutes, is amended to read:

1260 960.065 Eligibility for awards.—

1261 (5) A person is not ineligible for an award pursuant to
1262 paragraph (2)(a), paragraph (2)(b), or paragraph (2)(c) if that
1263 person is a victim of sexual exploitation of a child as defined
1264 in s. 39.01(78)(g) ~~s. 39.01(77)(g)~~.

1265 Section 33. This act shall take effect July 1, 2023.