



# Administrative Law Section



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## Administrative Law Section Executive Council Conference Call

March 12, 2008 – 4:00 p.m.

### AGENDA

- I. CALL TO ORDER – Andy Bertron, Chair
- II. SECTION LEGISLATIVE POSITIONS
  - A. Rollover of Current Positions 1-5
  - B. Revised Language for Current Position 6
  - C. New Position - Funding Support for DOAH
    1. Proposed Position
    2. Master List of TFB Legislative Positions
- III. TASK FORCE ON ATTORNEY-CLIENT PRIVILEGE
  - A. Invitation to Comment
  - B. Draft Statement of the Government Lawyers Section
  - C. Draft ALS Response to The Florida Bar

**Administrative Law Section**  
**2006-2008 Legislative Biennium**  
**July 28, 2006**

1. Opposes any amendment to Chapter 120, *Florida Statutes*, or other legislation, that undermines the rule-making requirements of the Administrative Procedure Act by allowing statements of agency policy without formal rule-making.
2. Opposes any amendment to Chapter 120, *Florida Statutes*, or other legislation to deny, limit or restrict points of entry to administrative proceedings under Chapter 120, *Florida Statutes*, by substantially affected persons.
3. Opposes exemptions or exceptions to the Administrative Procedure Act, but otherwise supports a requirement that any exemption or exception be included within Chapter 120, *Florida Statutes*.
4. Supports voluntary use of mediation to resolve matters in administrative proceedings under Chapter 120, *Florida Statutes*, and supports confidentiality of discussions in mediation; but opposes mandatory mediation and opposes imposition of involuntary penalties associated with mediation.
5. Supports uniformity of procedures in administrative proceedings under Chapter 120, *Florida Statutes*, and supports modification of such procedures only through amendment of or exceptions to the Uniform Rules of Procedure.
6. Opposes amendment to Chapter 120, *Florida Statutes*, that limits, restricts, or penalizes full participation in the administrative process, in the absence of compelling justification or non-anecdotal evidence which demonstrates that the existing provisions of law are not adequately protecting the administrative due process rights of all participants.

**Administrative Law Section  
Legislative Position**

Current Position

6. Opposes amendment to Chapter 120, *Florida Statutes*, that limits, restricts, or penalizes full participation in the administrative process, in the absence of compelling justification or non-anecdotal evidence which demonstrates that the existing provisions of law are not adequately protecting the administrative due process rights of all participants.

Revision

6. Opposes amendments to Chapter 120, *Florida Statutes*, or other legislation, that limits, restricts, or penalizes full participation in the administrative process, ~~in the absence of without compelling justification or non-anecdotal evidence which demonstrates that the existing provisions of law are not adequately protecting the administrative due process rights of all participants.~~

Recommended Position

6. Opposes amendments to Chapter 120, *Florida Statutes*, or other legislation, that limit, restrict, or penalize full participation in the administrative process without compelling justification.

II B (1)

## **Proposed Legislative Position**

Supports adequate funding of the Division of Administrative Hearings and other existing state administrative dispute resolution forums in order to ensure efficient resolution of administrative disputes.

## **Legislative Activity**

### **Legislative Positions**

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Here you will find the master list of all Bar, section, division and committee positions for the 2004-2006 legislative biennium.

## **Master List of Legislative Positions**

Detailed below is the master list of legislative positions for the **2006-2008 Legislative Biennium**, to date.

The list contains all current positions of The Florida Bar, sections and committees.

### **I. FLORIDA BAR LEGISLATIVE POSITIONS**

### **II. SECTION LEGISLATIVE POSITIONS**

**Administrative Law Section**

**Appellate Practice Law Section**

**Business Law Section**

**Criminal Law Section**

**Elder Law Section**

**Entertainment, Arts & Sports Law Section**

**Family Law Section**

**Government Lawyer Section**

**Health Law Section**

**International Law Section**

**Public Interest Law Section**

**Real Property, Probate and Trust Law Section**

**Tax Section**

**Trial Law Section**

**Workers' Compensation Section**

**Out of State Division**

**Young Lawyers Division**

### **III. COMMITTEE LEGISLATIVE POSITIONS**

**Code and Rules of Evidence**

*ITC 2 (1)*

## Legal Needs of Children Committee

### I. FLORIDA BAR LEGISLATIVE POSITIONS

September 29, 2006

1. The Florida Bar supports the adoption of Amendment 3, "Requiring Broader Public Support for Constitutional Amendments or Revisions", as a measure toward protecting the integrity of Florida's Constitution.

December 8, 2006

2. Opposes amendments to the Florida Constitution that would alter the authority of the Supreme Court of Florida to regulate the admission of persons to the practice of law or the discipline of persons admitted.

3. Opposes amendment of Article V, Section 2(a) of the Florida Constitution that would alter the Supreme Court's authority to adopt rules for practice and procedure in all courts, or that would change the manner by which such rules may be repealed by the legislature.

4. Supports adequate funding of the state courts system, state attorneys' offices, public defenders' offices, and court-appointed counsel.

5. Supports adequate funding for civil legal assistance to indigent persons through the Florida Access to Civil Legal Assistance Act.

6. Supports language in the Legislative Appropriations Act to permit the payment of government attorneys' Florida Bar membership fees and continuing legal education costs from funds within budget entities.

*II C 2(2)*

7. Supports legislation to require that a child have a meaningful opportunity to consult with an attorney before waiving his/her right to counsel in a delinquency proceeding.

8. Supports legislation to create reasonable financial student loan assistance for all government lawyers and legal aid attorneys who have served in that capacity for more than 3 years.

9. Opposes the indiscriminate use of chains and shackles in juvenile court proceedings, and encourages the adoption of a ban on the indiscriminate use of chains and shackles in juvenile court proceedings through court rule, legislation and executive branch policy.

January 26, 2007

10. Supports legislation consistent with the Supreme Court of Florida's December 14, 2006 certification of need for new judges.

February 12, 2007

11. Supports immediate Congressional action to enact a substantial pay increase for the federal judiciary consistent with the recent analysis by Paul Volcker, former chair of the National Commission on the Public Service, which recognized the inadequacy of federal judicial salaries and that increases in federal judicial salaries have not even kept pace with increases in average American worker wages.

April 16, 2007

12. Supports legislation that would waive civil court costs and fees for a person whose income is equal to or below 150 percent of then-current federal poverty guidelines.

June 1, 2007

*TC2(3)*

13. The Florida Bar strongly supports the preservation of, and opposes policies and procedures that have the effect of eroding, the attorney-client privilege and work product doctrine, both of which are essential to maintaining the confidential relationship between client and attorney required to encourage clients to discuss their legal matters fully and candidly with their counsel so as to:

- (1) promote compliance with law through effective counseling,
- (2) ensure effective advocacy for the client,
- (3) ensure access to justice and
- (4) promote the proper and efficient functioning of the American adversary system of justice.

February 1, 2008

14. Supports legislation consistent with the Supreme Court of Florida's January 17, 2008 certification of need for new judges.

## **II. SECTION LEGISLATIVE POSITIONS**

### **Administrative Law Section**

July 28, 2006

- 1. Opposes any amendment to Chapter 120, *Florida Statutes*, or other legislation, that undermines the rule-making requirements of the Administrative Procedure Act by allowing statements of agency policy without formal rule-making.
- 2. Opposes any amendment to Chapter 120, *Florida Statutes*, or other legislation to deny, limit or restrict points of entry to administrative proceedings under Chapter 120, *Florida Statutes*, by substantially affected persons.
- 3. Opposes exemptions or exceptions to the

*II C 2(4)*



Administrative Procedure Act, but otherwise supports a requirement that any exemption or exception be included within Chapter 120, *Florida Statutes*.

4. Supports voluntary use of mediation to resolve matters in administrative proceedings under Chapter 120, *Florida Statutes*, and supports confidentiality of discussions in mediation; but opposes mandatory mediation and opposes imposition of involuntary penalties associated with mediation.

5. Supports uniformity of procedures in administrative proceedings under Chapter 120, *Florida Statutes*, and supports modification of such procedures only through amendment of or exceptions to the Uniform Rules of Procedure.

6. Opposes amendment to Chapter 120, *Florida Statutes*, that limits, restricts, or penalizes full participation in the administrative process, in the absence of compelling justification or non-anecdotal evidence which demonstrates that the existing provisions of law are not adequately protecting the administrative due process rights of all participants.

### **Appellate Practice Law Section**

January 26, 2007

1. Opposes amendment of Article V, Section 2(a) of the Florida Constitution that would alter the Supreme Court's authority to adopt rules for practice and procedure in all courts, or that would change the manner by which such rules may be repealed by the legislature.

2. Supports maintaining an independent judiciary.

3. Supports pay raises for appellate judges and support personnel consistent with the Florida Supreme Court 2007

*TTC 2 (5)*

budget request.

4. Supports legislation consistent with the recommendations of the DCA Workload and Assessment Committee and the recommendations of the Supreme Court in the Certification Opinion as to additional judges, but opposed the creation of a new DCA or the changing of the boundaries of the current courts.

### **Business Law Section**

July 28, 2006

1. Opposes legislation that would re-enact the Bulk Sales Act, Article 6 of the Uniform Commercial Code.

2. Supports adequate funding of the state courts system, state attorneys' offices, public defenders' offices, and court-appointed counsel.

3. Opposes legislation to impose income tax on limited liability companies and subchapter 5 corporations.

4. Supports legislation consistent with the Supreme Court of Florida's November 30, 2004 certification of need for additional judges.

5. Supports the passage of Revised Article I of the Uniform Commercial Code, as developed by the National Conference of Commissioners on Uniform State Laws (NCCULS), with the exception of s. 1-301 re choice of laws, with an effective date of "upon becoming law."

6. Supports passage of a Revised Model Trademark Act, Ch. 495, Florida Statutes.

September 29, 2006

7. Supports amendment to §222.25 F. S. to provide an exemption from legal process of not to exceed \$4,000 in personal property, provided a resident debtor does not

*IC 2(6)*

claim or receive the benefits of a homestead exemption under Article X, Section 4 of the Florida Constitution.

8. Supports proposed technical, clarifying and modernizing revisions to Chapter 617 F. S. re not for profit corporations. The scope of such amendments includes changes to Ch. 617 that will conform that chapter to changes made in Ch. 607 re for profit corporations since 1990.

December 8, 2006

9. Supports legislation to update or modernize the assignment for benefit of creditors in Chapter 727, Florida Statutes.

February 21, 2007

10. Support "glitch" amendments of a technical, corrective and clarifying nature to Florida Statutes Chapter 620 re: Uniform Limited Partnership Act.

11. Support the funding and allocation of appropriated and necessary resources to fund complex business litigation pilot projects in the 9th, 11th, 13th, and 15th judicial circuits, provided that pilot project funding is to be in addition to existing court funding.

12. Support legislation to eliminate duplicate names among limited liability companies, paralleling existing Delaware corporate law: (1) providing that an LLC name not distinguishable from the name of an existing corporation or partnership without permission of the prior name holder not be permitted; (2) providing a "grandfather" clause that would permit existing names on record to remain; (3) applying to both domestic and foreign corporations; and (4) conforming the amendments to partnership and corporate statutes.

*ICC 2(7)*

13. Supports RPPTL position "supports limitation of creditor remedies against partner interest in general and limited liability partnerships and member interests in limited liability companies to charging liens and to prohibit foreclosure against such interests" provided that single member LLC's are eliminated from the scope of the legislation.

October 5, 2007

14. Supports the replacement of word "files" and "filing" with "serves" and "serving" wherever they appear in subsection (1) of §768.79, the Offer of Judgment and Demand for Judgment Statute.

15. Supports glitch amendments of a technical, corrective and clarifying nature to Florida Statutes, Chapter 607 re: Corporations and Chapter 608 re: Limited Liability Companies.

16. Supports the creation of §702.55 Florida Statutes, providing for notice to homeowner in mortgage foreclosure action of possibility of relief under U. S. Bankruptcy Code.

February 1, 2008

17. Supports HB 17 re regulation of auctioneers.

**Criminal Law Section**

TBA

**Elder Law Section**

July 28, 2006

1. Supports legislation that protects individual rights by removing all barrier language which imposes greater restrictions on incapacitated persons, as discussed in

*II C 2 (8)*

*Browning.*

2. Opposes legislation that would limit awards, attorney's fees and costs in liability actions brought against nursing homes or assisted living facilities.
3. Supports legislation that would increase staffing ratios, governmental oversight and Medicaid reimbursement rates to improve the general quality of care for elderly and disabled persons residing in nursing homes.
4. Opposes legislation that would restrict or revoke driving privileges based solely upon aging factors.
5. Supports legislation that would enhance enforcement of existing provisions to revoke driving privileges from persons who are determined to be impaired.
6. Opposes any legislative effort which would eliminate or diminish the rights of residents of nursing homes and other long term care facilities, as currently provided under Chapter 400, F.S.
7. Opposes any legislation that would allow the Clerks of Court in any and/or all circuits to assess and collect audit fees or other fees in guardianship or probate cases that would be a percentage of the total amount or value of the respective guardianship or probate estate.
8. Opposes any legislation that would decrease current Court authority and control over guardianship or probate matters while increasing, correspondingly or otherwise, the Clerk of Courts authority over these same matters.
9. Supports adding public guardians to the definition of professional guardians, and streamlining the registration process for professional guardians.
10. Supports SB 472 (2006) regarding Florida's

*IT C 2 (9)*

Guardianship law as originally filed on 10/25/05, with two exceptions: (1) the proposed amendments to §744.441 (19), Florida Statutes; and (2) the proposed amendments to §744.474(20) Florida Statutes.

11. Supports creating Chapter 736, Florida Statutes, to codify the law of trusts and makes conforming revisions to other Florida Statutes.

February 19, 2008

12. Opposes the adoption of summary guardianship proceedings outside the protections of Chapter 744, Florida Statutes.

February 28, 2008

13. Supports the development and implementation of a public education program stressing the need for screenings for memory impairment and the importance of early diagnosis and treatment of Alzheimer's disease and related disorders; and supports the mandate that the Department of Elder Affairs conduct, or provide support for, a study on the benefits of memory screenings and the scientific evidence on the techniques for memory screening.

### **Entertainment, Arts & Sports Law Section**

July 28, 2006

1. Supports full and complete state funding for the arts and the arts education programs in Florida, as well as the continued existence of the Corporations Trust Fund, and urges the Florida legislature to continue and increase the funding of these arts programs and organizations.

### **Family Law Section**

July 28, 2006

*TC 2(10)*

1. Supports amendments to Florida's domestic violence laws that would include:

- a. amending §741.30(6)(c), *Florida Statutes*, to substitute the term "permanent" instead of "final" with regard to judgments on injunctions for protection against domestic violence;
- b. amending §741.30(6)(a)7, *Florida Statutes*, to authorize the court to enter relief to protect minor children of a domestic violence victim as well as the victim;

2. Opposes legislation that would seek to remove from the courts in any way the establishment, modification or enforcement of family support, and/or that would seek to place consideration, effectuation or adjudication of these issues under the jurisdiction of the Department of Revenue or any other governmental or administrative body.

3. Supports modification of child support guidelines, Chapter 61, *Florida Statutes*, to eliminate the 25% reduction from the total cost of child care prior to allocating that cost between the parents, and to allow consideration of any available tax credit received by one parent as a result of child care expenses when determining allocation of costs.

4. Supports adequate funding for dependency courts and for all Chapter 39, F.S. proceedings relating to children.

5. Supports the establishment and funding of programs to provide dependency mediation services in each judicial circuit.

6. Opposes creation of an evidentiary privilege for parent-child communications.

TC2011

7. Supports amendment of §61.13(1), *Florida Statutes*, to clarify that a court may require either or both parents to carry life insurance or to otherwise secure child support obligations.

8. Supports legislation amending s.119.07(3)(i)(1), *Florida Statutes*, to extend to General Masters and Child Support Hearing Officers the exemption from public disclosure granted therein.

9. Supports legislation amending §119.07(3)(i)(1), *Florida Statutes*, to exempt from public disclosure the home addresses, telephone numbers, places of employment, and names and locations of schools and day care facilities of grandchildren of Justices, District Court of Appeal Judges, Circuit Court Judges, County Court Judges, General Masters and Child Support Hearing Officers.

10. Opposes removing or deleting the word "imminent" from §741.30(1)(a), *Florida Statutes*.

11. Supports amending Chapter 61, *Florida Statutes*, by adding a new § 61.406, *Florida Statutes*, authorizing an award of reasonable fees and costs to a duly appointed guardian ad litem, and further authorizing the guardian to apply for and enforce such an award in his or her own name without the necessity of counsel.

12. Supports amending § 742.045, *Florida Statutes*, allowing the award of appellate fees and costs in paternity matters, consistent with existing language of § 61.16, *Florida Statute*.

13. Opposes any proposed legislation that disturbs the finality of judgments determining parentage of children without consideration or inclusion of a statute of repose, a best interests of child standard consistent with established public policy of the State, and the elements and burden of

IV C 2 (12)



proof of fraud.

14. Supports amending § 61.13(3), Florida Statutes, by adding as a factor for consideration of shared parental responsibility and primary residence of a child "the willingness of a parent to confer and cooperate with the other parent."

16. Supports an amendment to §61.121, Florida Statutes, (Rotating Custody) inserting a second sentence that reads:" There shall be no presumption for or against an award of rotating custody."

17. Supports an amendment to §61.30 (1) (a), Florida Statutes (Child Support Guidelines; Retroactive Child Support), deleting the words ""or mediation agreement"" in the second to last sentence.

18. Opposes any extension of administrative procedures for a determination of paternity outside of the constitutionally established judiciary branch of state government.

19. Supports the amendment of §63.042, Florida Statutes, to permit a court to excuse the consent of an adoptive parent's spouse when the court finds that an adoption is in the best interests of the child. The court, rather than the Department of Children & Families, should be vested with the authority to determine whether an adoptive parent's disability should prohibit the person from adopting.

20. Supports the elimination of any language concerning non-adoption issues such as §63.043, Florida Statutes, regarding the screening for the sickle cell trait.

21. Supports adequate funding of the state courts system, state attorneys' offices, public defenders' offices and court-appointed counsel

22. Supports amending *Florida Statutes*, Chapters 61 and

II C 2(13)

742, Florida Statutes, to make it clear that the court has the appropriate discretion and authority to, upon good cause shown by a party, modify temporary support orders on a retroactive basis, even in the absence of a showing of a substantial change in circumstances.

23. Opposes legislation deleting the term "repeat violence" in F. S. 784.046 for purposes of protective injunctions.

24. Supports the creation of a parenting coordination statute that would apply in certain family law cases.

25. Supports the statutory recognition of collaborative law as a form of alternative dispute resolution in family law cases and the establishment of a privilege regarding the disclosure of information related to collaborative proceedings.

26. Supports legislation to create a reputable presumption for the purposes of imputation of income in a child support case that every parent in the State of Florida can earn minimum wage.

27. Supports the establishment of supervised visitation program standards and Senate Bill 466.

28. Opposes House Bill 152 and senate Bill 1181 and the termination or modification of alimony based upon a finding that a de facto marriage exists.

29. Supports 2006 Senate Bill 408 amending Florida Statutes Chapter 63 on Adoption.

30. Supports the amendment of Florida Statutes 61.08 and 61.14 to fix certain "glitches" created by the 2005 amendment of the Florida Statutes which provided for the termination or modification of alimony based upon a finding that a *de facto* marriage occurred.

II C 2 (14)

31. Supports amendment to Florida Statutes section 61.13 (1)(a)(1), (2) and (3) to require that the trial court set forth in every order establishing or modifying child support a schedule containing specific findings designating the child support award for multiple children based upon current net income, so that as each child attains the age of majority or otherwise emancipates, the aggregate number of remaining minor children for whom child support is being paid is accordingly reduced, to the appropriate child support amount as set forth on the schedule, until such time as the total child support obligation is extinguished.

32. Supports an amendment to Florida Statutes 61.14 to include subparagraphs (1)(a)1, (2), (3) (a) and (b), as well as (4) to enable a court to temporarily reduce support under certain defined circumstances post-judgment.

33. Supports the amendment to Florida Statutes section 61.30 (16) to adjust the child support statutory guidelines no less than every 3 years to ensure that Federal Poverty Guidelines are properly adjusted within those statutory guidelines.

34. Supports the creation of a remedy to set aside a determination of paternity for the express purpose for terminating prospective court ordered child support under certain defined circumstances.

35. Supports the amendment of Florida Statutes Chapter 61 to include a section modeled, in part, on the Uniform Premarital Agreement Act.

36. Supports amending §61.30(6) F.S. which would provide that when the parents combined income exceeds

*II C 2 (15)*

the child support guidelines schedule amounts that the percentages contained at the end of subparagraph (6) not be used as a basis for awarding child support beyond the reasonable needs of the parties' children.

37. Supports amending §61.30 11(a)10 F. S. and §61.30 11(b) F. S. to require mandatory deviation in the calculation of child support and the continuing utilization of the "gross-up" method for child support calculation when the particular parenting arrangement provides that parties' children spend a substantial amount of time with the non-custodial parent. The threshold for determination of "substantial time-sharing" should be reduced from 40% to 20% of the overnights.

38. Supports an amendment to §61.30 11 (d) F.S. which would codify current case law addressing the formula for calculating child support in split custody cases.

39. Strongly opposes any amendment to 61.30 F.S. which would delegate the obligation to review and if appropriate, reconfigure the child support guidelines schedule in Florida Statutes, Chapter 61, to the Supreme Court of the State of Florida or the State of Florida, Department of Revenue.

40. Opposes the incorporation of Family Team Conferencing as an alternative dispute resolution mechanism unless it incorporates the appropriate procedural safeguards.

41. Opposes any amendment to the current definition of parent under Chapter 39, Florida Statutes unless it is consistent with the definition set forth in Florida Statutes Chapter 63.

42. Supports the inclusion of the definition of "incarcerated parent" in Chapter 3, Florida Statutes and

II C 2 (16)

## Chapter 39, Florida Statutes.

43. Supports an amendment to §827.03 F. S. to incorporate a fourth category of child abuse provided that the definition of corporal punishment is amended to define excessive corporal punishment as consistent with definitions thereof set forth in § 39.01 (30)(a) 4 a.-k.; as well as the incorporation of the phrases "permanent or temporary" in reference to i. disfigurement and j. loss or impairment of a body part or function.

44. Supports the inclusion of limiting language in setting aside paternity based upon fraud or misrepresentation for child support termination purposes.

45. Opposes Senate Bill 2012 unless the current language intended to amend § 39.407(5) is deleted thereby leaving the authority of the judiciary to order that a child receive developmental disability services intact under Florida Statutes Chapter 39.

September 29, 2006

46 Supports an amendment to § 61.13 (1)(a)(1),(2) and (3) to require that the trial court set forth in an order establishing or modifying child support a schedule containing specific findings designating the child support award for multiple children based upon current net income so that as each child attains the age of majority, the aggregate number of remaining minor children for whom child support is being paid is accordingly reduced, to the appropriate child support amount as set forth on the schedule, until such time as the total child support obligation is extinguished.

47. Supports an amendment to §61.30(2)(b) to include subparagraphs 1.,2., 3. and 4. which defines the criteria

II C 2 (17)

for imputation of income for child support calculation purposes under the statutory child support guidelines, assigns the evidentiary burden to the party seeking to impute the income; makes mandatory the obligation to make findings of fact when imputation of income occurs; creates a rebuttable presumption pertaining to imputation of the minimum wage to parties residing in the State of Florida and outside of the State of Florida; and finally limits those circumstances when a court may not impute income beyond minimum wage requirements.

48. Supports the adoption of legislation that will enhance parental responsibility for and time-sharing of children involved in dissolution of marriage, domestic violence and paternity matters, when in a non-intact family unit, including: (1) the elimination of labels and presumptions previously associated with custody and visitation issues; (2) the promotion of co-parenting between parents so long as domestic violence does not prevent such co-parenting concepts; and (3) minimizing the detriment (emotional, financial or otherwise) that might arise from prolonged litigation that is often inherent when parents are adversaries in proceedings involving their child(ren)

49. Supports the adoption of legislation that will authorize the courts to enhance current "traditional" in-person and telephonic time-sharing and communication via "virtual visitation" by parents with their child(ren) utilizing technology currently available [including but not limited to electronic mail (e-mail), web-cam, video conferencing, other wired or wireless technologies via the Internet], or such other prospective technology. When considering whether or not to order "virtual visitation" the court should consider certain factors, including but not limited to (a) the child(ren)'s best interests in connection therewith;

II C 2 (18)

(b) the parents' finances; (c) whether the equipment and/or technology is reasonable available, financially and otherwise, to the parents and child(ren); and (d) any other relevant factors.

50. Supports an amendment to Chapter 39 F. S. applying Florida's Putative Father Registry to all termination of parental rights actions. An unmarried biological father's consent is on required when he acts to protect his parental rights by legally establishing his rights or registering with Florida's Putative Father Registry prior to the date the petition to terminate parental rights is filed with the court.

51. Supports amendment to Chapter 39 F. S. which would clearly set forth the intent that application of the Florida Putative Father Registry would differ in Dependency/Shelter proceedings and Termination of Parental Rights Proceedings as the interests of the child were different in each proceeding.

52. Supports an amendment to Chapter 39 F. S. which would provide juvenile judges with the authority to enter legally recordable paternity judgments, child support order and income deduction orders.

53. Supports amendment to Chapter 39 F. S. that applying Florida's Putative Father Registry to Dependency/Shelter proceeding by personally providing a father identified as a result of §39.503 F. S. inquiry with a disclosure on his paternal responsibility to register with Florida Putative Father Registry, support his child and legally establish his rights to the child. Such a father would have 30 days from personal receipt of the disclosure to assert his rights by registering with Florida's Putative Father Registry.

II C 2(19)

