This year’s state budget, signed by Governor Jeb Bush on June 5, 2002, allots an additional $4 million for repairs and renovations to domestic violence facilities, or a total of $8 million over the past four years. These dollars will fund renovation and construction to 33 of the state’s 38 shelters. This funding will be used to aid shelters in increasing their resident capacity, making shelters accessible to physically disabled residents, and improving the quality of their existing buildings to ensure that they can provide quality shelter facilities to residents and their children.

Shelters must often turn away potential residents due to being filled to capacity, not having the ability to accommodate residents who use wheelchairs, or not being able to accommodate adult dependents or caretakers of victims in need of shelter. Because of this, the funding provided in this year’s budget allocation will be invaluable to providing these much needed accommodations so that Florida’s domestic violence centers can reach their goal of serving all victims in need of shelter. FCADV commends the Florida Legislature for recognizing this need and providing the funding necessary to address it.

Bills that Passed

1. Protections for Domestic Violence Victims–SB716 (this bill includes our priority legislation HB299/SB316 by Rep. Littlefield and Senator Saunders)

The 2002 Florida Legislature passed FCADV’s priority legislation that enhances protections for domestic violence victims.

What SB 716 Does:

- Clarifies that people who have a child in common, or who are in a dating relationship, are not required to have resided together to be eligible for an injunction for protection against violence. Defines dating relationship.
- Clarifies current law regarding the court’s role over pretrial diversion programs for batterers.
- Provides that venue is proper where the respondent or petitioner resides (permanently or temporarily), or where the act of domestic violence occurred.
- Creates a checklist for petitioners to consider when completing the petition.
- Amends several statutes to make the definition of domestic violence consistent.
- Provides a checklist for the court to consider prior to issuing an order.
- Allows certified domestic violence center advocates, prosecution, or law enforcement advocates to be present during injunction hearings.
- Makes it a crime for a respondent to go within 500 feet of the petitioner’s residence or within 100 feet of the petitioner’s motor vehicle.
- Mandates that all injunction hearings be recorded.
2. Child Custody Jurisdiction Enforcement – HB 549 by Cantens/SB1312 by Campbell

The Bill:
- Creates the Uniform Child Custody Jurisdiction and Enforcement Act to provide specific support and assistance to victims of domestic violence that go from one jurisdiction to another and wish to fight for custody of their children. (This is a long and multi-faceted bill.)
- Creates a provision for parents to post bonds in child custody cases when a parent abducts or conceals a child, which exempts victims of domestic violence.
- Continues to require DV victims and others to comply with S. 787.03 on parental kidnapping.

3. Civil Legal Assistance Act: HB 491 by Goodlette; SB 512 by Saunders

The Bill:
- Creates an administrative framework for public funds to be used to provide legal services to the poor.
- Allows for representation in family and juvenile law, government entitlement programs, protection from domestic violence, elder and child abuse, and immigration by providing legal assistance and education.
- Prohibits funds to go to lobbying, criminal representation, post-conviction relief, or suing the state or other government-affiliated agencies.


This was the Florida Council Against Sexual Violence’s priority legislation during the 2002 legislative session. For more information regarding this bill, please call Terri Poore at FCASV at (850) 297-2000.

The Bill:
- Expands privilege to include volunteers of rape crisis centers that have received 30 hours of training on sexual violence and related topics. Currently, employees of rape crisis centers are granted privilege for communications between employees and rape survivors only.
- Includes rape crisis centers as an exempted agency for public employees or officers to disclose information regarding a victim.

Bills That Did Not Pass

1. Mandatory court costs for domestic violence cases: SB 732 by Meek; HB 595 by Henriquez.

This Bill would have:
- Imposed a mandatory $36 fee on domestic violence offenders to raise funding for legal services for victims of domestic violence.
2. Family Court Reform – SB1226, HB1455 – Committee Bill by the Senate Judiciary and Children and Families Committee.

The Bill would Have:
- Created a Commission on Family Law & Children to develop family code and provided for membership and staffing of commission.
- Revised timeframe for completing parenting course.
- Required Criminal Justice Standards and Training Commission to allow agencies employing law officers to authorize volunteer service as a means of fulfilling requirements for continuing education.
- Provide for pre-suit mediation.
- Create standards for supervised visitation programs.


This Bill would Have:
- Provided for grandparent visitation and parental rights.

4. Animal Abuse and Child Abuse - SB 282 by Campbell; HB 77 by Rich

This Bill would Have:
- Required cross-reporting of animal and child abuse.
- Domestic Violence not mentioned but would have been implicated.

5. Parental Kidnapping SB120 – Senator Geller, HB689 Representative Sobel

This Bill would Have:
- Duplicated and potentially confused current law on child abandonment and kidnapping.
- Authorized courts to issue protective custody warrant to secure recovery of unlawfully detained child.
- Authorized courts to issue emergency protective order under certain circumstances;
- Specified circumstances under which law enforcement officers may take child into protective custody.
- (The UCCJEA, a national uniform act designed to help parents with interstate child custody court matters passed as a part of HB549 [see above]. The UCCJEA makes this bill unnecessary.)

For More Information About This Legislation, Please Contact:
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It is important to note that there were several very strong and supportive legislators and we must thank them. The ultimate champions during the legislative session were Representative Ken Littlefield (R-Pasco) and Senator Burt Saunders (R-Naples) for their sponsorship of the domestic violence injunction bill and Governor Bush for prioritizing the FCADV legislative agenda. Because we actively fought legislation that was bad for domestic violence victims, it is necessary to acknowledge those individuals that ensured our position prevailed. We must recognize and thank Senator Kendrick Meek (D-Miami) for amending SB1312 to protect domestic violence victims and Senator Wasserman-Shultz (D-Broward), Senator Rossin (D-Palm Beach), Senator Smith (D-Alachua), and Senator Wise (R-Duval) for fighting the battle on this issue. I want to also recognize Senator Debby Sanderson (R-Ft. Lauderdale) and Representative Heather Fiorentino (R-Pasco) for sponsoring our appropriation priorities. There were three legislators who went above and beyond this year to assist in EVERY way possible and I want to acknowledge their efforts – a special thank you to Representative Mike Fasano (R-Pasco), Senator Ginny Brown-Waite (R-Hernando), and Senator Ron Silver (D-Miami). All of these legislators were true champions for domestic violence victims and their children.

Key Legislative Staff

A special thanks to legislative staff Beverly Whiddon and Debra Dowds on the Senate Children and Families Committee, Carol Preston staff to the House Judicial Oversight Committee, Brad Thomas and Joanne Leznoff of the Governor’s Office, and Paul Belcher staff to the Senate Health and Human Services Appropriations Sub-Committee. These individuals went above and beyond the call of duty to assist FCADV staff on legislative issues.

Visit our website for more information at http://www.fcadv.org