

CHAPTER 2018-14

Senate Bill No. 146

An act relating to appointment of attorneys for dependent children with special needs; providing a short title; amending s. 39.01305, F.S.; requiring the payment of due process costs of litigation of all pro bono attorneys appointed to represent dependent children with certain special needs, subject to appropriations and review for reasonableness; providing an effective date.

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

Section 1. This act shall be called the “Pro Bono Matters Act of 2018.”

Section 2. Subsection (5) of section 39.01305, Florida Statutes, is amended to read:

39.01305 Appointment of an attorney for a dependent child with certain special needs.—

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

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor March 19, 2018.

Filed in Office Secretary of State March 19, 2018.