

By Senator Bean

4-00234-18

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1 A bill to be entitled
2 An act relating to appointment of attorneys for
3 dependent children with special needs; providing a
4 short title; amending s. 39.01305, F.S.; requiring the
5 payment of due process costs of litigation of all pro
6 bono attorneys appointed to represent dependent
7 children with certain special needs, subject to
8 appropriations and review for reasonableness;
9 providing an effective date.

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

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13 Section 1. This act shall be called the "Pro Bono Matters
14 Act of 2018."

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

17 39.01305 Appointment of an attorney for a dependent child
18 with certain special needs.—

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

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30 child per year.

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