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# **Civil Justice Subcommittee**

**Thursday, January 22, 2015  
9:00 AM - 11:00 AM  
Sumner Hall (404 HOB)**

**ACTION PACKET**

**Steve Crisafulli  
Speaker**

**Kathleen Passidomo  
Chair**

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

1/22/2015 9:00:00AM

**Location:** Sumner Hall (404 HOB)

### Summary:

#### Civil Justice Subcommittee

*Thursday January 22, 2015 09:00 am*

HB 7 Favorable Yeas: 13 Nays: 0

PCS for HB 5 Favorable With Amendment(s) Yeas: 12 Nays: 0

Amendment PCS for HB 5 a1 Adopted Without Objection

Amendment PCS for HB 5 a2 Adopted Without Objection

Amendment PCS for HB 5 a3 Adopted Without Objection

Amendment PCS for HB 5 a4 Adopted Without Objection

Amendment PCS for HB 5 a5 Adopted Without Objection

Amendment PCS for HB 5 a6 Adopted Without Objection

Committee meeting was reported out: Thursday, January 22, 2015 1:32:13PM

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

1/22/2015 9:00:00AM

**Location:** Sumner Hall (404 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Kathleen Passidomo (Chair)	X		
Lori Berman	X		
Colleen Burton	X		
Dwight Dudley	X		
Walter Hill	X		
Kionne McGhee	X		
Larry Metz	X		
George Moraitis, Jr.	X		
Cary Pigman	X		
Cynthia Stafford	X		
Charlie Stone	X		
Jennifer Sullivan	X		
John Wood	X		
<b>Totals:</b>	<b>13</b>	<b>0</b>	<b>0</b>

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# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

1/22/2015 9:00:00AM

**Location:** Sumner Hall (404 HOB)

**HB 7 : Pub. Rec./Claim Settlement on Behalf of Minor or Ward**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
	<b>Total Yeas: 13</b>	<b>Total Nays: 0</b>			

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# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

1/22/2015 9:00:00AM

**Location:** Sumner Hall (404 HOB)

### PCS for HB 5 : Guardianship Proceedings

Favorable With Amendment(s)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman				X	
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### PCS for HB 5 Amendments

#### Amendment PCS for HB 5 a1

Adopted Without Objection

#### Amendment PCS for HB 5 a2

Adopted Without Objection

#### Amendment PCS for HB 5 a3

Adopted Without Objection

#### Amendment PCS for HB 5 a4

Adopted Without Objection

#### Amendment PCS for HB 5 a5

Adopted Without Objection

#### Amendment PCS for HB 5 a6

Adopted Without Objection

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# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

1/22/2015 9:00:00AM

**Location:** Sumner Hall (404 HOB)

**PCS for HB 5 : Guardianship Proceedings (continued)**

### Appearances:

PCS for HB 5 and Amds 3 & 5

Pizzarello, Theresa Giffen - Information Only  
5287 Benjamin Lane  
Sarasota Fl 39233

PCS for HB 5 and Amd 5

Pizzarello, Kevin - Information Only  
FTAC  
1510 Dolphin Street  
Sarasota Fl 34236  
Phone: 941-921-3535

PCS for HB 5 and Amdts 5 & 6

Sugar, Sam - Information Only  
AAAPG  
20808 NE 37th  
Aventura Florida 33180  
Phone: 847-571-4323

PCS for HB 5 and Am 5

Sayler, Alan - Information Only  
3851 62nd Ave N  
Pinellas Park Florida 33781  
Phone: 727-421-9795

PCS for HB 5 and Am 5

Franks, Douglas - Information Only  
AAAPG  
1034 Justice Lane  
Acworth GA 30102  
Phone: 678-570-3010

PCS for HB 5

Abramovici, Lidya - Information Only  
Americans Against Abusive Probate Guardianship  
19355 Turnberry Way  
Aventura Florida 33180  
Phone: 305-457-0701

PCS for HB 5

London, Julie - Information Only  
5000 Riverwood Avenue  
Sarasota Florida 34231  
Phone: 941-726-6928

PCS for HB 5

Cherry, Bryan (Lobbyist) - Information Only  
Aging Solutions and Office of the Public Guardian  
205 S Adams Street  
Tallahassee Fl 32301  
Phone: 850-205-0885

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# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

1/22/2015 9:00:00AM

**Location:** Sumner Hall (404 HOB)

**PCS for HB 5 : Guardianship Proceedings (continued)**

**Appearances: (continued)**

PCS for HB 5

Smith, Sylvia (Lobbyist) - Information Only

Disability Rights Florida  
2728 Centerview Drive  
Tallahassee Florida 32301

PCS for HB 5

Miller, Shannon - Information Only

1204 NW 69th Terrace  
Gainesville FL 32606  
Phone: 352-266-2308

PCS for HB 5

McCray, Jack (Lobbyist) - Information Only

AARP  
200 W. College St. #304  
Tallahassee FL 32301  
Phone: (850) 577-5187

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Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

*Accepted w/out  
 objection  
 1/22/15*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
 2 Representative Passidomo offered the following:

**Amendment (with title amendment)**

Remove lines 71-74 and insert:

6 744.1065 Mediation; alternative dispute resolution.-At any  
 7 time, the court may, upon its own motion or the motion of any  
 8 interested person, refer any matter under the jurisdiction of  
 9 this chapter to mediation or alternative dispute resolution if  
 10 the court finds that mediation or alternative dispute resolution  
 11 is in the best interests of the

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**T I T L E A M E N D M E N T**

Remove line 4 and insert:

16 guardianship matters to mediation or alternative dispute  
 17 resolution under certain





Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*Adopted w/out objection  
1/22/15*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative Passidomo offered the following:

**Amendment**

Remove line 154 and insert:

the hearing on the petition is commenced, unless the petitioner demonstrates that substantial harm to the alleged incapacitated person would occur if the 24 hour notice is given.



Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*Adopted w/out objection 1/22/15*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
 2 Representative Passidomo offered the following:

**Amendment**

Remove line 213 and insert:

6 standby guardian or preneed guardian or the court makes specific  
 7 written findings that such professional guardian meets special  
 8 requirements of the guardianship.



Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

*Adopted w/out objection  
1/22/15*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative Passidomo offered the following:

**Amendment (with title amendment)**

Between lines 320 and 321, insert:

6 (4) This section shall be interpreted in conformity with s.  
7 825.103.

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**T I T L E A M E N D M E N T**

Remove line 49 and insert:

12 hotline; providing for interpretation; amending s. 744.361,  
13 F.S.; providing



Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*Adopted w/out  
objection  
1/22/15*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative Passidomo offered the following:

3  
4 **Amendment**

5 Remove line 379 and insert:  
6 harm to the ward. Upon petition by an interested party, the  
7 court may review a decision of a guardian regarding visitation.



Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*Adopted w/out  
objection  
1/22/15*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative Passidomo offered the following:

**Amendment (with title amendment)**

Remove lines 442-459

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**T I T L E A M E N D M E N T**

Remove lines 56-60 and insert:  
amending s. 744.464, F.S.;