

# **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

**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: O
PCS for HB 5 Favorable With Ame	ndment(s)	Yeas: 12	Nays: O
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

#### **Civil Justice Subcommittee**

#### 1/22/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

#### Attendance:

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

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

**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

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

**Civil Justice Subcommittee** 

#### 1/22/2015 9:00:00AM

Location: Sumner Hall (404 HOB) PCS for HB 5 : Guardianship Proceedings

**X** Favorable With Amendment(s)

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

#### PCS for HB 5 Amendments

#### Amendment PCS for HB 5 a1

X Adopted Without Objection

#### Amendment PCS for HB 5 a2

X Adopted Without Objection

#### Amendment PCS for HB 5 a3

X Adopted Without Objection

#### Amendment PCS for HB 5 a4

X Adopted Without Objection

#### Amendment PCS for HB 5 a5

X Adopted Without Objection

#### Amendment PCS for HB 5 a6

X Adopted Without Objection

**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

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

**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

Bill No. PCS for HB 5 (2015)

Amendment No. 1

	COMMITTEE/SUBCOMMITTEE ACTION			
	ADOPTED(Y/N) ACCPTED WNUT			
	ADOPTED $(Y/N)$ Adopted wortADOPTED AS AMENDED $(Y/N)$ $(Y/N)$ $Objection$ ADOPTED W/O OBJECTION $(Y/N)$ $(Y/N)$ $(Y/N)$			
	ADOPTED W/O OBJECTION (Y/N)			
	FAILED TO ADOPT (Y/N)			
	WITHDRAWN (Y/N)			
	OTHER			
1	Committee/Subcommittee hearing bill: Civil Justice Subcommittee			
2	Representative Passidomo offered the following:			
3				
4	Amendment (with title amendment)			
5	Remove lines 71-74 and insert:			
6	744.1065 Mediation; alternative dispute resolutionAt 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			
12				
13				
14	TITLE AMENDMENT			
15	Remove line 4 and insert:			
16	guardianship matters to mediation or alternative dispute			
17	resolution under certain			
	PCS for HB 5 al			
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Bill No. PCS for HB 5 (2015)

Amendment No. 2

ADOPTED	(Y/N)	A hand what
ADOPTED AS AMENDED	(Y/N)	Adopted what objection 1/22/15
ADOPTED W/O OBJECTION	(Y/N)	objection)
FAILED TO ADOPT	(Y/N)	1/22/15
WITHDRAWN	(Y/N)	
OTHER		
Committee/Subcommittee	hearing bill:	Civil Justice Subcommitte
Representative Passidor	no offered the	following:
Amendment		
Remove line 154 ar	nd insert:	
the hearing on the peti	ltion is comme	nced, unless the petitione
demonstrates that subst	antial harm t	o the alleged incapacitate
person would occur if t	the 24 hour no	tice is given.
	·	
S for HB 5 a2		
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Bill No. PCS for HB 5 (2015)

Amendment No. 3

COMMITTEE/SUBCOMMI	ITTEE ACTION	
ADOPTED	(Y/N)	
ADOPTED AS AMENDED	(Y/N)	trata intervent
ADOPTED W/O OBJECTION	(Y/N)	Adapted wort objection 1/22/15
FAILED TO ADOPT	(Y/N)	OBJECTION MLC/13
WITHDRAWN	(Y/N)	
OTHER		
Committee/Subcommittee Representative Passidor	3	Civil Justice Subcommittee following:
Amendment		

Remove line 213 and insert:

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

PCS for HB 5 a3

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Bill No. PCS for HB 5 (2015)

Amendment No. 4

	ADOPTED	(Y/N)	A palationat
	ADOPTED AS AMENDED	(Y/N)	Actoption with
	ADOPTED W/O OBJECTION	(Y/N)	Actophed what objection
	FAILED TO ADOPT	(Y/N)	122/15
	WITHDRAWN	(Y/N)	
	OTHER		
1	Committee/Subcommittee	hearing bill:	Civil Justice Subcommittee
2	Representative Passidom	o offered the	e following:
3			
4	Amendment (with ti	tle amendment	=)
5	Between lines 320	and 321, inse	ert:
6	(4) This section s	hall be inter	preted in conformity with s.
7	825.103.		
8			
9			
10		LE AME	NDMENT
11	Remove line 49 and		
12	hotline; providing for	interpretatio	on; amending s. 744.361,
13	F.S.; providing		
1	PCS for HB 5 a4		
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Bill No. PCS for HB 5 (2015)

Amendment No. 5

COMMITTEE/SUBCOMM]	ITTEE ACTION	
ADOPTED	(Y/N)	
ADOPTED AS AMENDED	(Y/N)	Adopted upot
ADOPTED W/O OBJECTION	(Y/N)	objection
FAILED TO ADOPT	(Y/N)	102/15
WITHDRAWN	(Y/N)	yee It's
OTHER	Name and a second s	

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

#### Amendment

Remove line 379 and insert:

harm to the ward. Upon petition by an interested party, the court may review a decision of a guardian regarding visitation.

PCS for HB 5 a5

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## AMENDMENT

Bill No. PCS for HB 5 (2015)

Amendment No. 6

	COMMITTEE/SUBCOMMITTEE ACTION
	ADOPTED (Y/N)
	Adopted as Amended $(Y/N)$ Acboded Wout
	ADOPTED AS AMENDED $(Y/N)$ Adopted WoutADOPTED W/O OBJECTION $(Y/N)$ $Objection$ FAILED TO ADOPT $(Y/N)$ $Objection$
	FAILED TO ADOPT (Y/N)
	WITHDRAWN $(Y/N)$ $(Y/N)$
	OTHER
1	Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2	Representative Passidomo offered the following:
3	
4	Amendment (with title amendment)
5	Remove lines 442-459
6	
7	
8	<b></b>
9	TITLE AMENDMENT
10	Remove lines 56-60 and insert:
11	amending s. 744.464, F.S.;
12	
13	
14	
1	PCS for HB 5 a6
	Published On: 1/21/2015 6:17:48 PM

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