

1                                   A bill to be entitled  
 2           An act relating to the Florida Court Educational  
 3           Council; amending s. 25.384, F.S.; specifying that the  
 4           Court Education Trust Fund shall be administered by  
 5           the Florida Court Educational Council; deleting a  
 6           provision requiring the council to provide an annual  
 7           report; amending s. 25.385, F.S.; specifying the  
 8           membership, voting procedures, and duties of the  
 9           council; specifying the location of the council  
 10          headquarters; requiring the council to submit an  
 11          annual report; providing for nonseverability;  
 12          providing an effective date.

13  
 14   Be It Enacted by the Legislature of the State of Florida:

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 16           Section 1. Subsections (1), (2), and (4) of section  
 17   25.384, Florida Statutes, are amended to read:

18           25.384 Court Education Trust Fund.—

19           (1) There is created a Court Education Trust Fund to be  
 20   administered by ~~the Supreme Court through~~ the Florida Court  
 21   Educational Council as set forth in s. 25.385.

22           (2) (a) The Florida Court Educational Council shall adopt a  
 23   comprehensive plan for the operation of the Court Education  
 24   Trust Fund and the expenditure of the moneys deposited in the  
 25   trust fund.

26        (b) The plan shall provide for travel, per diem, tuition,  
 27 educational materials, and other related costs incurred for in-  
 28 state and out-of-state education and training programs for  
 29 judges and other court personnel to benefit the judiciary of the  
 30 state. Such ~~The trust fund moneys shall be used to provide~~  
 31 education and training programs shall be ~~for judges and other~~  
 32 ~~court personnel as defined and determined by the Florida Court~~  
 33 ~~Educational council as set forth in s. 25.385.~~

34        ~~(b) The Supreme Court, through its Florida Court~~  
 35 ~~Educational Council, shall adopt a comprehensive plan for the~~  
 36 ~~operation of the trust fund and the expenditure of the moneys~~  
 37 ~~deposited in the trust fund. The plan shall provide for travel,~~  
 38 ~~per diem, tuition, educational materials, and other related~~  
 39 ~~costs incurred for educational programs, in and out of state,~~  
 40 ~~which will be of benefit to the judiciary of the state.~~

41        ~~(4) The Supreme Court, through the Florida Court~~  
 42 ~~Educational Council, shall submit a report each year, on October~~  
 43 ~~1, to the President of the Senate and the Speaker of the House~~  
 44 ~~of Representatives, which report shall include the total number~~  
 45 ~~of judges and other court personnel attending each training or~~  
 46 ~~educational program, the educational program attended and the~~  
 47 ~~location of the program, and the costs incurred. In addition,~~  
 48 ~~the report shall identify the judges and other court personnel~~  
 49 ~~attending out-of-state programs and the costs associated with~~  
 50 ~~such programs. The report shall also show the total dollars~~

51 ~~deposited in the fund for the fiscal year and the balance at the~~  
 52 ~~end of the fiscal year.~~

53 Section 2. Section 25.385, Florida Statutes, is amended to  
 54 read:

55 25.385 Florida Court Educational Council; composition;  
 56 duties; reports ~~standards for instruction of circuit and county~~  
 57 ~~court judges in handling domestic violence cases.-~~

58 (1) (a) The Florida Court Educational Council shall consist  
 59 of the chief judge of each district court of appeal and the  
 60 chief judge of each judicial circuit. The council shall elect a  
 61 chair from its membership for a 1-year term to preside at all  
 62 council meetings. The council shall also elect other officers  
 63 from its membership as it deems necessary.

64 (b) A majority of the council members shall constitute a  
 65 quorum, and the affirmative vote of a majority of the members  
 66 present shall be necessary for any action to be taken by the  
 67 council.

68 (c) The administrative duties of the council include:

69 1. Adopting guidelines on permissible administrative  
 70 expenses, which may not exceed 15 percent of the funds deposited  
 71 into the previous fiscal year's Court Education Trust Fund.

72 2. Adopting policies and guidelines related to the  
 73 selection of education and training programs, approval of  
 74 courses for such programs, and selection of participants. The  
 75 council shall also develop and fund appropriate education and

76 training programs for new trial judges, appellate judges, child  
 77 support hearing officers, and magistrates.

78 3. Adopting reporting formats.

79 4. Supervising council employees. However, the council may  
 80 not employ more than three full-time employees.

81 (d) The council and its employees shall be headquartered  
 82 in the ninth circuit.

83 (2) (a) ~~(1)~~ The Florida Court Educational council shall  
 84 establish standards for instruction of circuit and county court  
 85 judges who have responsibility for domestic violence cases, and  
 86 the council shall provide such instruction on a periodic and  
 87 timely basis.

88 (b) ~~(2)~~ As used in this subsection, ~~section:~~

89 ~~(a)~~ the term "domestic violence" has the meaning set forth  
 90 in s. 741.28.

91 ~~(b)~~ "Family or household member" has the meaning set forth  
 92 in s. 741.28.

93 (3) The council shall submit a report each year, on  
 94 October 1, to the President of the Senate and the Speaker of the  
 95 House of Representatives that includes the total number of  
 96 judges and other court personnel attending each in-state  
 97 training or educational program, the training or educational  
 98 program attended and the location of the program, and the costs  
 99 incurred. The report shall also identify the judges and other  
 100 court personnel attending out-of-state training or educational

101 programs and the costs associated with such programs. The report  
 102 shall identify the total dollars deposited into the trust fund  
 103 for the fiscal year and the balance in the trust fund at the end  
 104 of the fiscal year.

105 Section 3. If any provision contained in sections 1 or 2  
 106 of this act is declared invalid for any reason, then sections 1  
 107 and 2 of this act shall be declared invalid, the fees that would  
 108 be directed to the Court Education Trust Fund may not be  
 109 assessed pursuant to ss. 28.2401(3), 28.241(1)(a)1.c.,  
 110 28.241(1)(a)2.e., and 34.041(1)(b), the remaining unencumbered  
 111 funds in the Court Education Trust Fund shall revert to the  
 112 General Revenue Fund, and the trust fund shall be terminated.

113 Section 4. This act shall take effect July 1, 2017.