

# Be a Part of Family Law in the Making

By Terry Fogel, Esquire, Jeffrey Weissman, Esquire, and General Magistrate, Norberto Katz, Co-Chairs, Legislation Committee

Part of the Family Law Section's theme for this year as announced by our Chair, Scott L. Rubin at the Annual Meeting in June was to "Be Involved." The Legislation Committee wants to give you an opportunity to do just that.

At our next meeting in Tampa on September 10, 2008, we shall be considering and discussing our legislative priorities for the next legislative session. The contenders for the bills to be aggressively lobbied by the Section and our lobbyists, Becker & Poliakoff, in the 2009 Session will all be posted on the Family Law Section website during the week of Labor Day. We welcome you to review them and to bring your input to the Legislation Committee. Although only Legislation Committee members are able to vote at the meeting, everyone who attends will be permitted to comment and give their input.

There is a wide array of subjects that we will be discussing. The subject matter of the proposed bills includes the following:

- Establishing collaborative law as an additional means of alternative dispute resolution, including recognition of the collaborative model and a package of rule amendments to establish the procedural methodology;
- Clarifying and resolving conflicts and issues in sections of Chapter 61 and 742 regarding parental responsibility, relocation, parenting plan recommendations and modification actions;
- Adjusting sections of Chapter 61 regarding child support to embody many of the standing positions previously approved by the Family Law Section (but not adjusting the substantial time-sharing adjustment floor of 40%);
- Creating a statutory scheme for the use and appointment of parent coordinators in cases where the parents are unable to agree on parenting issues;

- Applying the “supportive relationship” rule presently in effect for modification or termination of alimony to initial determinations of alimony and creating a category of “durational alimony” to allow judges to award alimony for a term of years longer than bridge-the-gap or rehabilitative alimony; and
- Allowing trial courts to order that equitable distribution payments be secured and that such payments bear interest.

Some or all of those positions may well be law by this time next year. Don’t look back after the legislation becomes final thinking that the statute would be so much better if only the wording had been changed, come help us make it perfect this time.

The philosophy of the Section, and more particularly the Legislation Committee and its Co-Chairs, is to be inclusive. If you have an opinion about the proposed statutes, or if you think that there is something even more important that has not been considered, we want to hear from you. Many hours of hard work have been spent by the subcommittees that created these proposed statutes and many different views have been aired during their meetings, but we are always eager to improve our product. Please join us in Tampa and let us hear what you think!

Following our meeting in Tampa, we will begin monitoring the bills relating to family law which have not been initiated from the Section. Information concerning those bills, and any position that the Section takes on them, will be disseminated to everyone on the Legislation Committee. Periodic reports also will be posted on the website. Please join us in helping pass legislation that will best serve the families and citizens of Florida. There is absolutely no reason that you cannot be involved and be a part of family law in the making this year.