

Governor's Veto Message

June 18, 2004
Ms. Glenda E. Hood
Secretary of State
Florida Department of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 2640, enacted during the 36th session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2004, and entitled:

An act relating to Parenting Coordination. . .

Committee Substitute for Senate Bill 2640 authorizes courts to appoint a parenting coordinator when the court finds the parties have not implemented the court-ordered parenting plan, mediation has not been successful, and the court finds the appointment is in the best interest of the children involved. I applaud the dedicated efforts of many whose mission is to identify alternatives to assist families in conflict. I also recognize that some circuit courts are currently utilizing parenting coordinators without statutory authority, and I commend them for seeking legislative direction. While the intent of the bill is laudable, I am vetoing the bill for the following reasons:

1. I am concerned that the bill does not adequately protect families as they try to resolve their conflicts. By authorizing courts to require families to use parenting coordinators, this legislation allows the judicial branch to order parenting coordination without the consent of all parties involved.
2. I share the concerns expressed by domestic violence advocates that this bill fails to provide adequate safeguards for victims of domestic violence.
3. I cannot approve legislation that delegates judicial authority to a parenting coordinator and which allows these parenting coordinators to serve in the dual role of judge and jury of parents' or children's rights.
4. I am concerned about funding these parenting coordinating programs in the future.
5. I believe that parenting coordinators should serve as volunteers and not be limited to an exclusive class of licensed professionals.

I will support a revised bill during the 2005 legislative session that makes the appointment and selection of a parenting coordinator subject to the consent of both parents. Also, I believe that we must limit the risk of "professionalization" of the parenting coordinator role by limiting it to volunteers. While I respect the Legislature's policy choice to allow only licensed professionals, clergy or attorneys to qualify as parenting coordinators, I believe that any volunteer, especially any faith-based volunteer, who meets certain minimum criteria should be allowed to serve as a parenting coordinator.

Basic training and standards are important. I support language, some contained in the current bill, regarding domestic violence training, family-court procedures, and mediation. I am committed to working with the sponsors of this legislation to create a program that can assist parents, preserve their rights, protect the best interests of the children involved, and address the concerns noted above.

Furthermore, by this letter, I respectfully request the Chief Justice of the Florida Supreme Court and all chief circuit judges to consider revising these programs to ensure that parents' paramount rights are not compromised, regardless of the well-intentioned motives of the program.

For these reasons, and the reasons set forth herein, I am withholding my approval of Committee Substitute for Senate Bill 2640, and do hereby veto the same.

Sincerely,
Jeb Bush