

By Senator Jones

40-1211-99

1                                   A bill to be entitled  
 2           An act relating to juveniles; amending s.  
 3           39.013, F.S.; providing for circuit court  
 4           jurisdiction in dependency proceedings until  
 5           the child reaches a specified age; providing  
 6           for an annual review during the time a child  
 7           remains in the custody of or under the  
 8           supervision of the Department of Children and  
 9           Family Services; amending s. 409.145, F.S.;  
 10          deleting a requirement that foster care  
 11          services be terminated upon a child's leaving  
 12          an educational program; providing an effective  
 13          date.

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

16  
 17           Section 1. Subsections (2) and (7) of section 39.013,  
 18 Florida Statutes, 1998 Supplement, are amended to read:

19           39.013 Procedures and jurisdiction; right to  
 20 counsel.--

21           (2) The circuit court shall have exclusive original  
 22 jurisdiction of all proceedings under this chapter, of a child  
 23 voluntarily placed with a licensed child-caring agency, a  
 24 licensed child-placing agency, or the department, and of the  
 25 adoption of children whose parental rights have been  
 26 terminated pursuant to this chapter. Jurisdiction attaches  
 27 when the initial shelter petition, dependency petition, or  
 28 termination of parental rights petition is filed or when a  
 29 child is taken into the custody of the department. The circuit  
 30 court may assume jurisdiction over any such proceeding  
 31 regardless of whether the child was in the physical custody of

1 both parents, was in the sole legal or physical custody of  
2 only one parent, caregiver, or some other person, or was in  
3 the physical or legal custody of no person when the event or  
4 condition occurred that brought the child to the attention of  
5 the court. When the court obtains jurisdiction of any child  
6 who has been found to be dependent, the court may ~~shall~~ retain  
7 jurisdiction, unless relinquished by its order, until the  
8 child reaches 21 ~~18~~ years of age.

9 (7) For any child who remains in the custody or under  
10 the supervision of the department, the court shall, within the  
11 6-month period before the child's 18th birthday, hold a  
12 hearing to review the progress of the child while in the  
13 custody or under the supervision of the department.  
14 Thereafter, an annual review shall be conducted during the  
15 time the child remains in the custody of or under the  
16 supervision of the department.

17 Section 2. Paragraph (b) of subsection (3) of section  
18 409.145, Florida Statutes, 1998 Supplement, is amended to  
19 read:

20 409.145 Care of children.--

21 (3)

22 (b) The services of the foster care program shall  
23 continue for those individuals 18 to 21 years of age only for  
24 the period of time the individual is continuously enrolled in  
25 high school, in a program leading to a high school equivalency  
26 diploma as defined in s. 229.814, or in a full-time career  
27 education program. Services may ~~shall~~ be terminated upon  
28 completion of or withdrawal or permanent expulsion from high  
29 school, the program leading to a high school equivalency  
30 diploma, or the full-time career education program.

31 Section 3. This act shall take effect July 1, 1999.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

\*\*\*\*\*

SENATE SUMMARY

Provides that the circuit court may retain jurisdiction in dependency proceedings until a child reaches 21 years of age and provides for an annual review during the time that a child remains in the custody of or under the supervision of the Department of Children and Family Services. Deletes a requirement that foster care services be terminated when a child leaves an educational program.