

By Representative Bullard

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.

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

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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 shall retain
7 jurisdiction, unless relinquished by its order, until the
8 child reaches 18 years of age, and may retain jurisdiction of
9 such individual until he or she reaches 21 years of age.

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

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

21 409.145 Care of children.--

22 (3)

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

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

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5 LEGISLATIVE SUMMARY

6 Retains court jurisdiction, unless relinquished by court
7 order, until the child reaches the age of 18. Provides
8 that, under certain conditions, the court may retain
9 jurisdiction until the person reaches the age of 21.

10 Sets a standard for when and under what set of
11 circumstances the department's decision to terminate
12 service is subject to the review of the juvenile court.

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