

Bill No. CS for SB 2034

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Mitchell moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 53, between lines 18 and 19,		
15			
16	insert:		
17	Section 28. Subsection (42) of section 39.01, Florida		
18	Statutes, is amended, present subsections (43) through (72)		
19	are renumbered as subsections (44) through (73), respectively,		
20	and a new subsection (43) is added to that section, to read:		
21	39.01 Definitions.--When used in this chapter, unless		
22	the context otherwise requires:		
23	(42) "Long-term custody" or "long-term custodial		
24	relationship" means the relationship that a juvenile court		
25	order creates between a child and an adult relative of the		
26	child or other legal custodian approved by the court when the		
27	child cannot be placed in the custody of a parent and <u>adoption</u>		
28	termination of parental rights is not deemed to be in the best		
29	interest of the child. Long-term custody confers upon the		
30	relative or other legal custodian, <u>other than the department,</u>		
31	the right to physical custody of the child, a right which will		

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1 not be disturbed by the court except upon request of the legal
 2 custodian or upon a showing that the best interest of the
 3 child necessitates a change of custody for the child. A
 4 relative or other legal custodian who has been designated as a
 5 long-term custodian shall have all of the rights and duties of
 6 a parent, including, but not limited to, the right and duty to
 7 protect, train, and discipline the child and to provide the
 8 child with food, shelter, and education, and ordinary medical,
 9 dental, psychiatric, and psychological care, unless these
 10 rights and duties are otherwise enlarged or limited by the
 11 court order establishing the long-term custodial relationship.

12 (43) "Long-term licensed custody" means the
 13 relationship that a juvenile court order creates between a
 14 child and a placement licensed by the state to provide
 15 residential care for dependent children, if the licensed
 16 placement is willing and able to continue to care for the
 17 child until the child reaches the age of majority.

18 Section 29. Present subsection (10) of section 39.013,
 19 Florida Statutes, is amended, present subsections (4) through
 20 (10) are renumbered as subsections (5) through (11),
 21 respectively, and a new subsection (4) is added to that
 22 section, to read:

23 39.013 Procedures and jurisdiction; right to
 24 counsel.--

25 (4) The order of the circuit court hearing dependency
 26 matters shall be filed by the clerk of the court in any
 27 dissolution or other custody action or proceeding and shall
 28 take precedence over other custody and visitation orders
 29 entered in those actions.

30 (11)(10) Court-appointed counsel representing indigent
 31 parents or legal guardians at shelter hearings shall be paid

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1 from state funds appropriated by general law.

2 Section 30. Subsections (2) and (3), paragraph (a) of
3 subsection (4), and paragraphs (b) and (d) of subsection (6)
4 of section 39.0132, Florida Statutes, are amended to read:

5 39.0132 Oaths, records, and confidential
6 information.--

7 (2) The court shall make and keep records of all cases
8 brought before it pursuant to this chapter and shall preserve
9 the records pertaining to a dependent child until 7 years
10 after the last entry was made, or until the child is 18 years
11 of age, whichever date is first reached, and may then destroy
12 them, except that records of cases where orders were entered
13 permanently depriving a parent of the custody of a juvenile
14 shall be preserved permanently. The court shall make official
15 records, consisting of all petitions and orders filed in a
16 case arising pursuant to this chapter part and any other
17 pleadings, certificates, proofs of publication, summonses,
18 warrants, and other writs which may be filed therein.

19 (3) The clerk shall keep all court records required by
20 this chapter part separate from other records of the circuit
21 court. All court records required by this chapter part shall
22 not be open to inspection by the public. All records shall be
23 inspected only upon order of the court by persons deemed by
24 the court to have a proper interest therein, except that,
25 subject to the provisions of s. 63.162, a child and the
26 parents of the child and their attorneys, guardian ad litem,
27 law enforcement agencies, and the department and its designees
28 shall always have the right to inspect and copy any official
29 record pertaining to the child. The court may permit
30 authorized representatives of recognized organizations
31 compiling statistics for proper purposes to inspect and make

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1 abstracts from official records, under whatever conditions
2 upon their use and disposition the court may deem proper, and
3 may punish by contempt proceedings any violation of those
4 conditions.

5 (4)(a) All information obtained pursuant to this
6 chapter part in the discharge of official duty by any judge,
7 employee of the court, authorized agent of the department,
8 correctional probation officer, or law enforcement agent is
9 confidential and exempt from s. 119.07(1) and may not be
10 disclosed to anyone other than the authorized personnel of the
11 court, the department and its designees, correctional
12 probation officers, law enforcement agents, guardian ad litem,
13 and others entitled under this chapter to receive that
14 information, except upon order of the court.

15 (6) No court record of proceedings under this chapter
16 shall be admissible in evidence in any other civil or criminal
17 proceeding, except that:

18 (b) Records of proceedings under this chapter part
19 forming a part of the record on appeal shall be used in the
20 appellate court in the manner hereinafter provided.

21 (d) Records of proceedings under this chapter part may
22 be used to prove disqualification pursuant to s. 435.06 and
23 for proof regarding such disqualification in a chapter 120
24 proceeding.

25 Section 31. Paragraph (e) of subsection (2) of section
26 39.202, Florida Statutes, is amended to read:

27 39.202 Confidentiality of reports and records in cases
28 of child abuse or neglect.--

29 (2) Access to such records, excluding the name of the
30 reporter which shall be released only as provided in
31 subsection (4), shall be granted only to the following

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1 persons, officials, and agencies:

2 (e) Any person alleged in the report as having caused
3 the abuse, abandonment, or neglect of a child. This access
4 shall be made available no later than 30 days after the
5 department receives the initial report of abuse, abandonment,
6 or neglect and, when the alleged perpetrator is not a parent,
7 shall be limited to information involving the protective
8 investigation only and shall not include any information
9 relating to subsequent dependency proceedings. However, any
10 information otherwise made confidential or exempt by law shall
11 not be released pursuant to this paragraph.

12 Section 32. Paragraph (c) of subsection (8) of section
13 39.402, Florida Statutes, is amended to read:

14 39.402 Placement in a shelter.--
15 (8)

16 (c) At the shelter hearing, the court shall:

- 17 1. Appoint a guardian ad litem to represent the best
18 interest of the child, unless the court finds that such
19 representation is unnecessary;
- 20 2. Inform the parents or legal custodians of their
21 right to counsel to represent them at the shelter hearing and
22 at each subsequent hearing or proceeding, and the right of the
23 parents to appointed counsel, pursuant to the procedures set
24 forth in s. 39.013; and
- 25 3. Give the parents or legal custodians an opportunity
26 to be heard and to present evidence.

27 Section 33. Subsection (18) of section 39.502, Florida
28 Statutes, is amended to read:

29 39.502 Notice, process, and service.--

30 (18) In all proceedings under this part ~~chapter~~, the
31 court shall provide to the parent or legal custodian of the

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1 child, at the conclusion of any hearing, a written notice
2 containing the date of the next scheduled hearing. The court
3 shall also include the date of the next hearing in any order
4 issued by the court.

5 Section 34. Subsection (5) of section 39.503, Florida
6 Statutes, is amended to read:

7 39.503 Identity or location of parent unknown; special
8 procedures.--

9 (5) If the inquiry under subsection (1) identifies a
10 parent or prospective parent, and that person's location is
11 unknown, the court shall direct the petitioner ~~department~~ to
12 conduct a diligent search for that person before scheduling a
13 disposition hearing regarding the dependency of the child
14 unless the court finds that the best interest of the child
15 requires proceeding without notice to the person whose
16 location is unknown.

17 Section 35. (1) Present part VII of chapter 39,
18 Florida Statutes, is redesignated as part VIII, and a new part
19 VII, is created, consisting of sections 39.521, Florida
20 Statutes, entitled "Disposition; Postdisposition Change of
21 Custody."

22 (2) Present parts VIII through XI of chapter 39,
23 Florida Statutes, are redesignated as parts X through XIII,
24 respectively, and a new part IX is created, consisting of
25 sections 39.621, 39.622, 39.623, and 39.624, Florida Statutes,
26 entitled "Permanency."

27 Section 36. Section 39.508, Florida Statutes, is
28 renumbered as section 39.521, Florida Statutes, and amended to
29 read:

30 39.521 ~~39.508~~ Disposition hearings; powers of
31 disposition.--

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1 (1) ~~A~~ At the disposition hearing shall be conducted by
2 the court, if the court finds that the facts alleged in the
3 petition for dependency were proven in the adjudicatory
4 hearing, or if the parents or legal custodians have consented
5 to the finding of dependency or admitted the allegations in
6 the petition, have failed to appear for the arraignment
7 hearing after proper notice, or have not been located despite
8 a diligent search having been conducted.

9 ~~(a) A written~~, ~~the court shall receive and consider a~~
10 ~~case plan and a predisposition study prepared, which must be~~
11 ~~in writing and presented~~ by an authorized agent of the
12 department must be filed with the court and served upon the
13 parents of the child, provided to the representative of the
14 guardian ad litem program, if the program has been appointed,
15 and provided to all other parties, not less than 72 hours
16 before the disposition hearing. All such case plans must be
17 approved by the court. If the court does not approve the case
18 plan at the disposition hearing, the court must set a hearing
19 within 30 days after the disposition hearing to review and
20 approve the case plan.

21 (b) When any child is adjudicated by a court to be
22 dependent, the court having jurisdiction of the child has the
23 power by order to:

24 1. Require the parent and, when appropriate, the legal
25 custodian and the child, to participate in treatment and
26 services identified as necessary.

27 2. Require, if the court deems necessary, the parties
28 to participate in dependency mediation.

29 3. Require placement of the child either under the
30 protective supervision of an authorized agent of the
31 department in the home of one or both of the child's parents

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1 or in the home of a relative of the child or another adult
2 approved by the court, or in the custody of the department.
3 Protective supervision continues until the court terminates it
4 or until the child reaches the age of 18, whichever date is
5 first. Protective supervision shall be terminated by the court
6 whenever the court determines that permanency has been
7 achieved for the child, whether with a parent, another
8 relative, or a legal custodian, and that protective
9 supervision is no longer needed. The termination of
10 supervision may be with or without retaining jurisdiction, at
11 the court's discretion, and shall in either case be considered
12 a permanency option for the child. The order terminating
13 supervision by the department shall set forth the powers of
14 the custodian of the child and shall include the powers
15 ordinarily granted to a guardian of the person of a minor
16 unless otherwise specified. Upon the court's termination of
17 supervision by the department, no further judicial reviews are
18 required, so long as permanency has been established for the
19 child.

20 (c) At the conclusion of the disposition hearing, the
21 court shall schedule the initial judicial review hearing which
22 must be held no later than 90 days after the date of the
23 disposition hearing or after the date of the hearing at which
24 the court approves the case plan, whichever occurs earlier,
25 but in no event shall the review hearing be held later than 6
26 months after the date of the child's removal from the home.

27 (d) The court shall, in its written order of
28 disposition, include all of the following:

- 29 1. The placement or custody of the child.
- 30 2. Special conditions of placement and visitation.
- 31 3. Evaluation, counseling, treatment activities, and

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1 other actions to be taken by the parties, if ordered.

2 4. The persons or entities responsible for supervising
3 or monitoring services to the child and parent.

4 5. Continuation or discharge of the guardian ad litem,
5 as appropriate.

6 6. The date, time, and location of the next scheduled
7 review hearing, which must occur within the earlier of:

8 a. Ninety days after the disposition hearing;

9 b. Ninety days after the court accepts the case plan;

10 c. Six months after the date of the last review

11 hearing; or

12 d. Six months after the date of the child's removal
13 from his or her home, if no review hearing has been held since
14 the child's removal from the home.

15 7. If the child is in an out-of-home placement, child
16 support to be paid by the parents, or the guardian of the
17 child's estate if possessed of assets which under law may be
18 disbursed for the care, support, and maintenance of the child.
19 The court may exercise jurisdiction over all child support
20 matters, shall adjudicate the financial obligation, including
21 health insurance, of the child's parents or guardian, and
22 shall enforce the financial obligation as provided in chapter
23 61. The state's child support enforcement agency shall enforce
24 child support orders under this section in the same manner as
25 child support orders under chapter 61. Placement of the child
26 shall not be contingent upon issuance of a support order.

27 8.a. If the court does not commit the child to the
28 temporary legal custody of an adult relative, legal custodian,
29 or other adult approved by the court, the disposition order
30 shall include the reasons for such a decision and shall
31 include a determination as to whether diligent efforts were

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1 made by the department to locate an adult relative, legal
2 custodian, or other adult willing to care for the child in
3 order to present that placement option to the court instead of
4 placement with the department.

5 b. If diligent efforts are made to locate an adult
6 relative willing and able to care for the child but, because
7 no suitable relative is found, the child is placed with the
8 department or a legal custodian or other adult approved by the
9 court, both the department and the court shall consider
10 transferring temporary legal custody to an adult relative
11 approved by the court at a later date, but neither the
12 department nor the court is obligated to so place the child if
13 it is in the child's best interest to remain in the current
14 placement.

15
16 For the purposes of this subparagraph, "diligent efforts to
17 locate an adult relative" means a search similar to the
18 diligent search for a parent, but without the continuing
19 obligation to search after an initial adequate search is
20 completed.

21 9. Other requirements necessary to protect the health,
22 safety, and well-being of the child, to preserve the stability
23 of the child's educational placement, and to promote family
24 preservation or reunification whenever possible.

25 (e) If the court finds that the prevention or
26 reunification efforts of the department will allow the child
27 to remain safely at home or be safely returned to the home,
28 the court shall allow the child to remain in or return to the
29 home after making a specific finding of fact that the reasons
30 for removal have been remedied to the extent that the child's
31 safety, well-being, and physical, mental, and emotional health

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1 will not be endangered.

2 (f) If the court places the child in an out-of-home
3 placement, the disposition order must include a written
4 determination that the child cannot safely remain at home with
5 reunification or family preservation services and that removal
6 of the child is necessary to protect the child. If the child
7 has been removed before the disposition hearing, the order
8 must also include a written determination as to whether, after
9 removal, the department has made a reasonable effort to
10 reunify the parent and child, if reasonable efforts are
11 required. Reasonable efforts to reunify are not required if
12 the court has found that any of the acts listed in s.
13 39.806(1)(f)-(i) have occurred. The department has the burden
14 of demonstrating that it has made reasonable efforts under
15 this paragraph.

16 1. For the purposes of this paragraph, the term
17 "reasonable effort" means the exercise of reasonable diligence
18 and care by the department to provide the services ordered by
19 the court or delineated in the case plan.

20 2. In support of its determination as to whether
21 reasonable efforts have been made, the court shall:

22 a. Enter written findings as to whether or not
23 prevention or reunification efforts were indicated.

24 b. If prevention or reunification efforts were
25 indicated, include a brief written description of what
26 appropriate and available prevention and reunification efforts
27 were made.

28 c. Indicate in writing why further efforts could or
29 could not have prevented or shortened the separation of the
30 parent and child.

31 3. A court may find that the department has made a

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1 reasonable effort to prevent or eliminate the need for removal
2 if:

3 a. The first contact of the department with the family
4 occurs during an emergency;

5 b. The appraisal by the department of the home
6 situation indicates that it presents a substantial and
7 immediate danger to the child's safety or physical, mental, or
8 emotional health which cannot be mitigated by the provision of
9 preventive services;

10 c. The child cannot safely remain at home, either
11 because there are no preventive services that can ensure the
12 health and safety of the child or, even with appropriate and
13 available services being provided, the health and safety of
14 the child cannot be ensured; or

15 d. The parent is alleged to have committed any of the
16 acts listed as grounds for expedited termination of parental
17 rights in s. 39.806(1)(f)-(i).

18 4. A reasonable effort by the department for
19 reunification of the parent and child has been made if the
20 appraisal of the home situation by the department indicates
21 that the severity of the conditions of dependency is such that
22 reunification efforts are inappropriate. The department has
23 the burden of demonstrating to the court that reunification
24 efforts were inappropriate.

25 5. If the court finds that the prevention or
26 reunification effort of the department would not have
27 permitted the child to remain safely at home, the court may
28 commit the child to the temporary legal custody of the
29 department or take any other action authorized by this
30 chapter.

31 (2) The predisposition study ~~shall cover for any~~

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1 ~~dependent child all factors specified in s. 61.13(3), and must~~
 2 ~~also~~ provide the court with the following documented
 3 information:

4 (a) The capacity and disposition of the parents to
 5 provide the child with food, clothing, medical care, or other
 6 remedial care recognized and permitted under the laws of this
 7 state in lieu of medical care, and other material needs.

8 (b) The length of time the child has lived in a
 9 stable, satisfactory environment and the desirability of
 10 maintaining continuity.

11 (c) The mental and physical health of the parents.

12 (d) The home, school, and community record of the
 13 child.

14 (e) The reasonable preference of the child, if the
 15 court deems the child to be of sufficient intelligence,
 16 understanding, and experience to express a preference.

17 (f) Evidence of domestic violence or child abuse.

18 (g)(a) An assessment defining the dangers and risks of
 19 returning the child home, including a description of the
 20 changes in and resolutions to the initial risks.

21 (h)(b) A description of what risks are still present
 22 and what resources are available and will be provided for the
 23 protection and safety of the child.

24 (i)(c) A description of the benefits of returning the
 25 child home.

26 (j)(d) A description of all unresolved issues.

27 (k)(e) A Florida Abuse Hotline Information System
 28 (FAHIS) An abuse registry history and criminal records check
 29 for all caregivers, family members, and individuals residing
 30 within the household from which the child was removed.

31 (l)(f) The complete report and recommendation of the

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1 child protection team of the Department of Health or, if no
 2 report exists, a statement reflecting that no report has been
 3 made.

4 ~~(m)(g)~~ All opinions or recommendations from other
 5 professionals or agencies that provide evaluative, social,
 6 reunification, or other services to the parent and child.

7 ~~(n)(h)~~ A listing ~~The availability~~ of appropriate and
 8 available prevention and reunification services for the parent
 9 and child to prevent the removal of the child from the home or
 10 to reunify the child with the parent after removal, including
 11 the availability of family preservation services and an
 12 explanation of the following:

13 1. If the services were or were not provided.

14 2. If the services were provided, the outcome of the
 15 services.

16 3. If the services were not provided, why they were
 17 not provided.

18 4. If the services are currently being provided and if
 19 they need to be continued through the Family Builders Program,
 20 the Intensive Crisis Counseling Program, or both.

21 ~~(o)(i)~~ A listing ~~The inappropriateness~~ of other
 22 prevention and reunification services that were available but
 23 determined to be inappropriate and why.

24 ~~(j)~~ ~~The efforts by the department to prevent~~
 25 ~~out-of-home placement of the child or, when applicable, to~~
 26 ~~reunify the parent and child if appropriate services were~~
 27 ~~available, including the application of intensive family~~
 28 ~~preservation services through the Family Builders Program, the~~
 29 ~~Intensive Crisis Counseling Program, or both.~~

30 ~~(k)~~ ~~Whether the services were provided to the parent~~
 31 ~~and child.~~

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1 ~~(l) If the services were provided, whether they were~~
2 ~~sufficient to meet the needs of the child and the parent and~~
3 ~~to enable the child to remain safely at home or to be returned~~
4 ~~home.~~

5 ~~(m) If the services were not provided, the reasons for~~
6 ~~such lack of action.~~

7 ~~(n) The need for, or appropriateness of, continuing~~
8 ~~the services if the child remains in the custody of the parent~~
9 ~~or if the child is placed outside the home.~~

10 (p)(o) Whether dependency mediation was provided.

11 (q)(p) If the child has been removed from the home and
12 there is a parent ~~or legal custodian~~ who may be considered for
13 custody pursuant to this section, a recommendation as to
14 whether placement of the child with that parent ~~or legal~~
15 ~~custodian~~ would be detrimental to the child.

16 (r)(q) If the child has been removed from the home and
17 will be remaining with a relative or other adult approved by
18 the court, a home study report concerning the proposed
19 placement shall be included in the predisposition report.

20 Prior to recommending to the court any out-of-home placement
21 for a child other than placement in a licensed shelter or
22 foster home, the department shall conduct a study of the home
23 of the proposed legal custodians, which must include, at a
24 minimum:

25 1. An interview with the proposed legal custodians to
26 assess their ongoing commitment and ability to care for the
27 child.

28 2. Records checks through the Florida Abuse Hotline
29 Information System (FAHIS), and local and statewide criminal
30 and juvenile records checks through the Department of Law
31 Enforcement, on all household members 12 years of age or older

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1 and any other persons made known to the department who are
2 frequent visitors in the home. Out-of-state criminal records
3 checks must be initiated for any individual designated above
4 who has resided in a state other than Florida provided that
5 state's laws allow the release of these records. The
6 out-of-state criminal records must be filed with the court
7 within 5 days after receipt by the department or its agent.

8 3. An assessment of the physical environment of the
9 home.

10 4. A determination of the financial security of the
11 proposed legal custodians.

12 5. A determination of suitable child care arrangements
13 if the proposed legal custodians are employed outside of the
14 home.

15 6. Documentation of counseling and information
16 provided to the proposed legal custodians regarding the
17 dependency process and possible outcomes.

18 7. Documentation that information regarding support
19 services available in the community has been provided to the
20 proposed legal custodians.

21
22 The department shall not place the child or continue the
23 placement of the child in a home under shelter or
24 postdisposition placement if the results of the home study are
25 unfavorable, unless the court finds that this placement is in
26 the child's best interest.

27 (s)(r) If the child has been removed from the home, a
28 determination of the amount of child support each parent will
29 be required to pay pursuant to s. 61.30.

30 (t) If placement of the child with anyone other than
31 the child's parent is being considered, the predisposition

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1 study shall include the designation of a specific length of
2 time as to when custody by the parent will be reconsidered.

3
4 Any other relevant and material evidence, including other
5 written or oral reports, may be received by the court in its
6 effort to determine the action to be taken with regard to the
7 child and may be relied upon to the extent of its probative
8 value, even though not competent in an adjudicatory hearing.
9 Except as otherwise specifically provided, nothing in this
10 section prohibits the publication of proceedings in a hearing.

11 ~~(3)(a)1. Notwithstanding s. 435.045(1), the department~~
12 ~~may place a child in a foster home which otherwise meets~~
13 ~~licensing requirements if state and local criminal records~~
14 ~~checks do not disqualify the applicant, and the department has~~
15 ~~submitted fingerprint information to the Florida Department of~~
16 ~~Law Enforcement for forwarding to the Federal Bureau of~~
17 ~~Investigation and is awaiting the results of the federal~~
18 ~~criminal records check.~~

19 ~~2. Prospective and approved foster parents must~~
20 ~~disclose to the department any prior or pending local, state,~~
21 ~~or federal criminal proceedings in which they are or have been~~
22 ~~involved.~~

23 ~~(b) Prior to recommending to the court any out-of-home~~
24 ~~placement for a child other than placement in a licensed~~
25 ~~shelter or foster home, the department shall conduct a study~~
26 ~~of the home of the proposed legal custodians, which must~~
27 ~~include, at a minimum:~~

28 ~~1. An interview with the proposed legal custodians to~~
29 ~~assess their ongoing commitment and ability to care for the~~
30 ~~child.~~

31 ~~2. Records checks through the department's automated~~

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1 ~~abuse information system, and local and statewide criminal and~~
2 ~~juvenile records checks through the Department of Law~~
3 ~~Enforcement, on all household members 12 years of age or older~~
4 ~~and any other persons made known to the department who are~~
5 ~~frequent visitors in the home.~~

6 ~~3. An assessment of the physical environment of the~~
7 ~~home.~~

8 ~~4. A determination of the financial security of the~~
9 ~~proposed legal custodians.~~

10 ~~5. A determination of suitable child care arrangements~~
11 ~~if the proposed legal custodians are employed outside of the~~
12 ~~home.~~

13 ~~6. Documentation of counseling and information~~
14 ~~provided to the proposed legal custodians regarding the~~
15 ~~dependency process and possible outcomes.~~

16 ~~7. Documentation that information regarding support~~
17 ~~services available in the community has been provided to the~~
18 ~~proposed legal custodians.~~

19 ~~(c) The department shall not place the child or~~
20 ~~continue the placement of the child in the home of the~~
21 ~~proposed legal custodians if the results of the home study are~~
22 ~~unfavorable.~~

23 ~~(4) If placement of the child with anyone other than~~
24 ~~the child's parent is being considered, the predisposition~~
25 ~~study shall include the designation of a specific length of~~
26 ~~time as to when custody by the parent will be reconsidered.~~

27 ~~(5) The predisposition study may not be made before~~
28 ~~the adjudication of dependency unless the parents of the child~~
29 ~~consent.~~

30 ~~(6) A case plan and predisposition study must be filed~~
31 ~~with the court and served upon the parents of the child,~~

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1 ~~provided to the representative of the guardian ad litem~~
2 ~~program, if the program has been appointed, and provided to~~
3 ~~all other parties not less than 72 hours before the~~
4 ~~disposition hearing. All such case plans must be approved by~~
5 ~~the court. If the court does not approve the case plan at the~~
6 ~~disposition hearing, the court must set a hearing within 30~~
7 ~~days after the disposition hearing to review and approve the~~
8 ~~case plan.~~

9 ~~(7) The initial judicial review must be held no later~~
10 ~~than 90 days after the date of the disposition hearing or~~
11 ~~after the date of the hearing at which the court approves the~~
12 ~~case plan, whichever occurs earlier, but in no event shall the~~
13 ~~review be held later than 6 months after the date of the~~
14 ~~child's removal from the home.~~

15 ~~(3)(8) When any child is adjudicated by a court to be~~
16 ~~dependent, and the court finds that removal of the child from~~
17 ~~the custody of a parent or legal custodian is necessary, the~~
18 ~~court shall determine the appropriate placement for the child~~
19 ~~as follows:~~

20 ~~(a) If the court determines that the child can safely~~
21 ~~remain in the home with the parent with whom the child was~~
22 ~~residing at the time the events or conditions arose that~~
23 ~~brought the child within the jurisdiction of the court and~~
24 ~~that remaining in this home is in the best interest of the~~
25 ~~child, then the court shall order conditions under which the~~
26 ~~child may remain or return to the home and that this placement~~
27 ~~be under the protective supervision of the department for not~~
28 ~~less than 6 months.~~

29 ~~(b) If first determine whether there is a parent with~~
30 ~~whom the child was not residing at the time the events or~~
31 ~~conditions arose that brought the child within the~~

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1 jurisdiction of the court who desires to assume custody of the
2 child ~~and, if such parent requests custody,~~ the court shall
3 place the child with that ~~the~~ parent upon completion of a home
4 study, unless the court ~~it~~ finds that such placement would
5 endanger the safety, well-being, or physical, mental, or
6 emotional health of the child. Any party with knowledge of the
7 facts may present to the court evidence regarding whether the
8 placement will endanger the safety, well-being, or physical,
9 mental, or emotional health of the child. If the court places
10 the child with such parent, it may do either of the following:

11 1.(a) Order that the parent assume sole custodial
12 responsibilities for the child. The court may also provide for
13 reasonable visitation by the noncustodial parent. The court
14 may then terminate its jurisdiction over the child. The
15 custody order shall continue unless modified by a subsequent
16 order of the circuit court hearing dependency matters. The
17 order of the circuit court hearing dependency matters shall be
18 filed in any dissolution or other custody action or proceeding
19 between the parents and shall take precedence over other
20 custody and visitation orders entered in those actions.

21 2.(b) Order that the parent assume custody subject to
22 the jurisdiction of the circuit court hearing dependency
23 matters. The court may order that reunification services be
24 provided to the parent from whom the child has been removed,
25 that services be provided solely to the parent who is assuming
26 physical custody in order to allow that parent to retain later
27 custody without court jurisdiction, or that services be
28 provided to both parents, in which case the court shall
29 determine at every review hearing which parent, if either,
30 shall have custody of the child. The standard for changing
31 custody of the child from one parent to another or to a

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1 relative or another adult approved by the court shall be the
2 best interest of the child.

3 (c) If no fit parent is willing or available to assume
4 care and custody of the child, place

5 ~~(9)(a) When any child is adjudicated by a court to be~~
6 ~~dependent, the court having jurisdiction of the child has the~~
7 ~~power, by order, to:~~

8 ~~1. Require the parent or legal custodian, and the~~
9 ~~child when appropriate, to participate in treatment and~~
10 ~~services identified as necessary.~~

11 ~~2. Require the parent or legal custodian, and the~~
12 ~~child when appropriate, to participate in mediation if the~~
13 ~~parent or legal custodian refused to participate in mediation.~~

14 ~~3. Place the child under the protective supervision of~~
15 ~~an authorized agent of the department, either in the child's~~
16 ~~own home or, the prospective custodian being willing, in the~~
17 ~~home of a relative of the child or of another adult approved~~
18 ~~by the court, or in some other suitable place under such~~
19 ~~reasonable conditions as the court may direct. Protective~~
20 ~~supervision continues until the court terminates it or until~~
21 ~~the child reaches the age of 18, whichever date is first.~~
22 ~~Protective supervision shall be terminated by the court~~
23 ~~whenever the court determines that permanency has been~~
24 ~~achieved for the child, whether with a parent, another~~
25 ~~relative, or a legal custodian, and that protective~~
26 ~~supervision is no longer needed. The termination of~~
27 ~~supervision may be with or without retaining jurisdiction, at~~
28 ~~the court's discretion, and shall in either case be considered~~
29 ~~a permanency option for the child. The order terminating~~
30 ~~supervision by the department shall set forth the powers of~~
31 ~~the custodian of the child and shall include the powers~~

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1 ~~ordinarily granted to a guardian of the person of a minor~~
2 ~~unless otherwise specified. Upon the court's termination of~~
3 ~~supervision by the department, no further judicial reviews are~~
4 ~~required, so long as permanency has been established for the~~
5 ~~child.~~

6 4. ~~Place~~ the child in the temporary legal custody of
7 an adult relative or other adult approved by the court who is
8 willing to care for the child, under the protective
9 supervision of the department. The department must supervise
10 this placement until the child reaches permanency status in
11 this home, and in no case for a period of less than 6 months.
12 Permanency in a relative placement shall be by adoption,
13 long-term custody, or guardianship.

14 (d) If the child cannot be safely placed in a
15 nonlicensed placement, the court shall commit the child to the
16 temporary legal custody of the department. Such commitment
17 invests in the department all rights and responsibilities of a
18 legal custodian. The department shall not return any child to
19 the physical care and custody of the person from whom the
20 child was removed, except for court-approved visitation
21 periods, without the approval of the court. The term of such
22 commitment continues until terminated by the court or until
23 the child reaches the age of 18. After the child is committed
24 to the temporary legal custody of the department, all further
25 proceedings under this section are governed by this chapter.

26
27 Protective supervision continues until the court terminates it
28 or until the child reaches the age of 18, whichever date is
29 first. Protective supervision shall be terminated by the court
30 whenever the court determines that permanency has been
31 achieved for the child, whether with a parent, another

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1 relative, or a legal custodian, and that protective
 2 supervision is no longer needed. The termination of
 3 supervision may be with or without retaining jurisdiction, at
 4 the court's discretion, and shall in either case be considered
 5 a permanency option for the child. The order terminating
 6 supervision by the department shall set forth the powers of
 7 the custodian of the child and shall include the powers
 8 ordinarily granted to a guardian of the person of a minor
 9 unless otherwise specified. Upon the court's termination of
 10 supervision by the department, no further judicial reviews are
 11 required, so long as permanency has been established for the
 12 child.

13 (4) An agency granted legal custody shall have the
 14 right to determine where and with whom the child shall live,
 15 but an individual granted legal custody shall exercise all
 16 rights and duties personally unless otherwise ordered by the
 17 court.

18 (5) In carrying out the provisions of this chapter,
 19 the court may order the parents and legal custodians of a
 20 child who is found to be dependent to participate in family
 21 counseling and other professional counseling activities deemed
 22 necessary for the rehabilitation of the parent or child.

23 (6) With respect to a child who is the subject in
 24 proceedings under this chapter, the court may issue to the
 25 department an order to show cause why it should not return the
 26 child to the custody of the parents upon expiration of the
 27 case plan, or sooner if the parents have substantially
 28 complied with the case plan.

29 (7) The court may enter an order ending its
 30 jurisdiction over a child when a child has been returned to
 31 the parents, provided the court shall not terminate its

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1 jurisdiction or the department's supervision over the child
 2 until 6 months after the child's return. The court shall
 3 determine whether its jurisdiction should be continued or
 4 terminated in such a case based on a report of the department
 5 or agency or the child's guardian ad litem, and any other
 6 relevant factors; if its jurisdiction is to be terminated, the
 7 court shall enter an order to that effect.

8 ~~5.a. When the parents have failed to comply with a~~
 9 ~~case plan and the court determines at a judicial review~~
 10 ~~hearing, or at an adjudication hearing held pursuant to this~~
 11 ~~section, that neither reunification, termination of parental~~
 12 ~~rights, nor adoption is in the best interest of the child, the~~
 13 ~~court may place the child in the long-term custody of an adult~~
 14 ~~relative or other adult approved by the court willing to care~~
 15 ~~for the child, if all of the following conditions are met:~~

16 ~~(I) A case plan describing the responsibilities of the~~
 17 ~~relative or other adult, the department, and any other party~~
 18 ~~must have been submitted to the court.~~

19 ~~(II) The case plan for the child does not include~~
 20 ~~reunification with the parents or adoption by the relative or~~
 21 ~~other adult.~~

22 ~~(III) The child and the relative or other adult are~~
 23 ~~determined not to need protective supervision or preventive~~
 24 ~~services to ensure the stability of the long-term custodial~~
 25 ~~relationship, or the department assures the court that~~
 26 ~~protective supervision or preventive services will be provided~~
 27 ~~in order to ensure the stability of the long-term custodial~~
 28 ~~relationship.~~

29 ~~(IV) Each party to the proceeding agrees that a~~
 30 ~~long-term custodial relationship does not preclude the~~
 31 ~~possibility of the child returning to the custody of the~~

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1 ~~parent at a later date, should the parent demonstrate a~~
2 ~~material change in circumstances and the return of the child~~
3 ~~to the parent is in the child's best interest.~~

4 ~~(V) The court has considered the reasonable preference~~
5 ~~of the child if the court has found the child to be of~~
6 ~~sufficient intelligence, understanding, and experience to~~
7 ~~express a preference.~~

8 ~~(VI) The court has considered the recommendation of~~
9 ~~the guardian ad litem if one has been appointed.~~

10 ~~(VII) The relative or other adult has made a~~
11 ~~commitment to provide for the child until the child reaches~~
12 ~~the age of majority and to prepare the child for adulthood and~~
13 ~~independence.~~

14 ~~(VIII) The relative or other adult agrees not to~~
15 ~~return the child to the physical care and custody of the~~
16 ~~person from whom the child was removed, including for short~~
17 ~~visitation periods, without the approval of the court.~~

18 ~~b. The court shall retain jurisdiction over the case,~~
19 ~~and the child shall remain in the long-term custody of the~~
20 ~~relative or other adult approved by the court until the order~~
21 ~~creating the long-term custodial relationship is modified by~~
22 ~~the court. The court shall discontinue regular judicial review~~
23 ~~hearings and may relieve the department of the responsibility~~
24 ~~for supervising the placement of the child whenever the court~~
25 ~~determines that the placement is stable and that such~~
26 ~~supervision is no longer needed. The child must be in the~~
27 ~~placement for a minimum of 6 continuous months before the~~
28 ~~court may consider termination of the department's~~
29 ~~supervision. Notwithstanding the retention of jurisdiction,~~
30 ~~the placement shall be considered a permanency option for the~~
31 ~~child when the court relieves the department of the~~

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1 ~~responsibility for supervising the placement. The order~~
 2 ~~terminating supervision by the department shall set forth the~~
 3 ~~powers of the custodian of the child and shall include the~~
 4 ~~powers ordinarily granted to a guardian of the person of a~~
 5 ~~minor unless otherwise specified. The court may modify the~~
 6 ~~order terminating supervision of the long-term placement if it~~
 7 ~~finds that the long-term placement is no longer in the best~~
 8 ~~interest of the child.~~

9 ~~6.a. Approve placement of the child in long-term~~
 10 ~~out-of-home care, when the following conditions are met:~~

11 ~~(I) The foster child is 16 years of age or older,~~
 12 ~~unless the court determines that the history or condition of a~~
 13 ~~younger child makes long-term out-of-home care the most~~
 14 ~~appropriate placement.~~

15 ~~(II) The child demonstrates no desire to be placed in~~
 16 ~~an independent living arrangement pursuant to this subsection.~~

17 ~~(III) The department's social services study pursuant~~
 18 ~~to part VIII recommends long-term out-of-home care.~~

19
 20 ~~Long-term out-of-home care under the above conditions shall~~
 21 ~~not be considered a permanency option.~~

22 ~~b. The court may approve placement of the child in~~
 23 ~~long-term out-of-home care, as a permanency option, when all~~
 24 ~~of the following conditions are met:~~

25 ~~(I) The child is 14 years of age or older.~~

26 ~~(II) The child is living in a licensed home and the~~
 27 ~~foster parents desire to provide care for the child on a~~
 28 ~~permanent basis and the foster parents and the child do not~~
 29 ~~desire adoption.~~

30 ~~(III) The foster family has made a commitment to~~
 31 ~~provide for the child until he or she reaches the age of~~

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1 ~~majority and to prepare the child for adulthood and~~
2 ~~independence.~~

3 ~~(IV) The child has remained in the home for a~~
4 ~~continuous period of no less than 12 months.~~

5 ~~(V) The foster parents and the child view one another~~
6 ~~as family and consider living together as the best place for~~
7 ~~the child to be on a permanent basis.~~

8 ~~(VI) The department's social services study recommends~~
9 ~~such placement and finds the child's well-being has been~~
10 ~~promoted through living with the foster parents.~~

11
12 ~~Notwithstanding the retention of jurisdiction and supervision~~
13 ~~by the department, long-term out-of-home care placements made~~
14 ~~pursuant to this section shall be considered a permanency~~
15 ~~option for the child. For purposes of this subsection,~~
16 ~~supervision by the department shall be defined as a minimum of~~
17 ~~semiannual visits. The order placing the child in long-term~~
18 ~~out-of-home care as a permanency option shall set forth the~~
19 ~~powers of the custodian of the child and shall include the~~
20 ~~powers ordinarily granted to a guardian of the person of a~~
21 ~~minor unless otherwise specified. The court may modify the~~
22 ~~permanency option of long-term out-of-home care if it finds~~
23 ~~that the placement is no longer in the best interests of the~~
24 ~~child.~~

25 ~~c. Approve placement of the child in an independent~~
26 ~~living arrangement for any child 16 years of age or older, if~~
27 ~~it can be clearly established that this type of alternate care~~
28 ~~arrangement is the most appropriate plan and that the health,~~
29 ~~safety, and well-being of the child will not be jeopardized by~~
30 ~~such an arrangement. While in independent living situations,~~
31 ~~children whose legal custody has been awarded to the~~

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1 ~~department or a licensed child-caring or child-placing agency,~~
2 ~~or who have been voluntarily placed with such an agency by a~~
3 ~~parent, guardian, relative, or adult approved by the court,~~
4 ~~continue to be subject to court review provisions.~~

5 ~~7. Commit the child to the temporary legal custody of~~
6 ~~the department. Such commitment invests in the department all~~
7 ~~rights and responsibilities of a legal custodian. The~~
8 ~~department shall not return any child to the physical care and~~
9 ~~custody of the person from whom the child was removed, except~~
10 ~~for court-approved visitation periods, without the approval of~~
11 ~~the court. The term of such commitment continues until~~
12 ~~terminated by the court or until the child reaches the age of~~
13 ~~18. After the child is committed to the temporary custody of~~
14 ~~the department, all further proceedings under this section are~~
15 ~~also governed by this chapter.~~

16 ~~8.a. Change the temporary legal custody or the~~
17 ~~conditions of protective supervision at a postdisposition~~
18 ~~hearing, without the necessity of another adjudicatory~~
19 ~~hearing. A child who has been placed in the child's own home~~
20 ~~under the protective supervision of an authorized agent of the~~
21 ~~department, in the home of a relative, in the home of a legal~~
22 ~~custodian, or in some other place may be brought before the~~
23 ~~court by the department or by any other interested person,~~
24 ~~upon the filing of a petition alleging a need for a change in~~
25 ~~the conditions of protective supervision or the placement. If~~
26 ~~the parents or other legal custodians deny the need for a~~
27 ~~change, the court shall hear all parties in person or by~~
28 ~~counsel, or both. Upon the admission of a need for a change or~~
29 ~~after such hearing, the court shall enter an order changing~~
30 ~~the placement, modifying the conditions of protective~~
31 ~~supervision, or continuing the conditions of protective~~

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1 ~~supervision as ordered. The standard for changing custody of~~
2 ~~the child shall be the best interest of the child. If the~~
3 ~~child is not placed in foster care, then the new placement for~~
4 ~~the child must meet the home study criteria and court approval~~
5 ~~pursuant to this chapter.~~

6 ~~b. In cases where the issue before the court is~~
7 ~~whether a child should be reunited with a parent, the court~~
8 ~~shall determine whether the parent has substantially complied~~
9 ~~with the terms of the case plan to the extent that the safety,~~
10 ~~well-being, and physical, mental, and emotional health of the~~
11 ~~child is not endangered by the return of the child to the~~
12 ~~home.~~

13 ~~(b) The court shall, in its written order of~~
14 ~~disposition, include all of the following:~~

15 ~~1. The placement or custody of the child as provided~~
16 ~~in paragraph (a).~~

17 ~~2. Special conditions of placement and visitation.~~

18 ~~3. Evaluation, counseling, treatment activities, and~~
19 ~~other actions to be taken by the parties, if ordered.~~

20 ~~4. The persons or entities responsible for supervising~~
21 ~~or monitoring services to the child and parent.~~

22 ~~5. Continuation or discharge of the guardian ad litem,~~
23 ~~as appropriate.~~

24 ~~6. The date, time, and location of the next scheduled~~
25 ~~review hearing, which must occur within the earlier of:~~

26 ~~a. Ninety days after the disposition hearing;~~

27 ~~b. Ninety days after the court accepts the case plan;~~

28 ~~c. Six months after the date of the last review~~
29 ~~hearing; or~~

30 ~~d. Six months after the date of the child's removal~~
31 ~~from his or her home, if no review hearing has been held since~~

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1 ~~the child's removal from the home.~~

2 ~~7. Other requirements necessary to protect the health,~~
3 ~~safety, and well-being of the child, to preserve the stability~~
4 ~~of the child's educational placement, and to promote family~~
5 ~~preservation or reunification whenever possible.~~

6 ~~(c) If the court finds that the prevention or~~
7 ~~reunification efforts of the department will allow the child~~
8 ~~to remain safely at home or be safely returned to the home,~~
9 ~~the court shall allow the child to remain in or return to the~~
10 ~~home after making a specific finding of fact that the reasons~~
11 ~~for removal have been remedied to the extent that the child's~~
12 ~~safety, well-being, and physical, mental, and emotional health~~
13 ~~will not be endangered.~~

14 ~~(d) If the court places the child in an out-of-home~~
15 ~~placement, the disposition order must include a written~~
16 ~~determination that the child cannot safely remain at home with~~
17 ~~reunification or family preservation services and that removal~~
18 ~~of the child is necessary to protect the child. If the child~~
19 ~~has been removed before the disposition hearing, the order~~
20 ~~must also include a written determination as to whether, after~~
21 ~~removal, the department has made a reasonable effort to~~
22 ~~reunify the parent and child, if reasonable efforts are~~
23 ~~required. Reasonable efforts to reunify are not required if~~
24 ~~the court has found that any of the acts listed in s.~~
25 ~~39.806(1)(f)-(i) have occurred. The department has the burden~~
26 ~~of demonstrating that it has made reasonable efforts under~~
27 ~~this paragraph.~~

28 ~~1. For the purposes of this paragraph, the term~~
29 ~~"reasonable effort" means the exercise of reasonable diligence~~
30 ~~and care by the department to provide the services delineated~~
31 ~~in the case plan.~~

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1 ~~2. In support of its determination as to whether~~
2 ~~reasonable efforts have been made, the court shall:~~

3 ~~a. Enter written findings as to whether or not~~
4 ~~prevention or reunification efforts were indicated.~~

5 ~~b. If prevention or reunification efforts were~~
6 ~~indicated, include a brief written description of what~~
7 ~~appropriate and available prevention and reunification efforts~~
8 ~~were made.~~

9 ~~c. Indicate in writing why further efforts could or~~
10 ~~could not have prevented or shortened the separation of the~~
11 ~~parent and child.~~

12 ~~3. A court may find that the department has made a~~
13 ~~reasonable effort to prevent or eliminate the need for removal~~
14 ~~if:~~

15 ~~a. The first contact of the department with the family~~
16 ~~occurs during an emergency;~~

17 ~~b. The appraisal by the department of the home~~
18 ~~situation indicates that it presents a substantial and~~
19 ~~immediate danger to the child's safety or physical, mental, or~~
20 ~~emotional health which cannot be mitigated by the provision of~~
21 ~~preventive services;~~

22 ~~c. The child cannot safely remain at home, either~~
23 ~~because there are no preventive services that can ensure the~~
24 ~~health and safety of the child or, even with appropriate and~~
25 ~~available services being provided, the health and safety of~~
26 ~~the child cannot be ensured; or~~

27 ~~d. The parent or legal custodian is alleged to have~~
28 ~~committed any of the acts listed as grounds for expedited~~
29 ~~termination of parental rights in s. 39.806(1)(f)-(i).~~

30 ~~4. A reasonable effort by the department for~~
31 ~~reunification of the parent and child has been made if the~~

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1 ~~appraisal of the home situation by the department indicates~~
2 ~~that the severity of the conditions of dependency is such that~~
3 ~~reunification efforts are inappropriate. The department has~~
4 ~~the burden of demonstrating to the court that reunification~~
5 ~~efforts were inappropriate.~~

6 ~~5. If the court finds that the prevention or~~
7 ~~reunification effort of the department would not have~~
8 ~~permitted the child to remain safely at home, the court may~~
9 ~~commit the child to the temporary legal custody of the~~
10 ~~department or take any other action authorized by this~~
11 ~~chapter.~~

12 ~~(10)(a) When any child is adjudicated by the court to~~
13 ~~be dependent and temporary legal custody of the child has been~~
14 ~~placed with an adult relative, legal custodian, or other adult~~
15 ~~approved by the court, a licensed child-caring agency, or the~~
16 ~~department, the court shall, unless a parent has voluntarily~~
17 ~~executed a written surrender for purposes of adoption, order~~
18 ~~the parents, or the guardian of the child's estate if~~
19 ~~possessed of assets which under law may be disbursed for the~~
20 ~~care, support, and maintenance of the child, to pay child~~
21 ~~support to the legal custodian caring for the child, the~~
22 ~~licensed child-caring agency, or the department. The court may~~
23 ~~exercise jurisdiction over all child support matters, shall~~
24 ~~adjudicate the financial obligation, including health~~
25 ~~insurance, of the child's parents or guardian, and shall~~
26 ~~enforce the financial obligation as provided in chapter 61.~~
27 ~~The state's child support enforcement agency shall enforce~~
28 ~~child support orders under this section in the same manner as~~
29 ~~child support orders under chapter 61.~~

30 ~~(b) Placement of the child pursuant to subsection (8)~~
31 ~~shall not be contingent upon issuance of a support order.~~

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1 ~~(11)(a) If the court does not commit the child to the~~
2 ~~temporary legal custody of an adult relative, legal custodian,~~
3 ~~or other adult approved by the court, the disposition order~~
4 ~~shall include the reasons for such a decision and shall~~
5 ~~include a determination as to whether diligent efforts were~~
6 ~~made by the department to locate an adult relative, legal~~
7 ~~custodian, or other adult willing to care for the child in~~
8 ~~order to present that placement option to the court instead of~~
9 ~~placement with the department.~~

10 ~~(b) If diligent efforts are made to locate an adult~~
11 ~~relative willing and able to care for the child but, because~~
12 ~~no suitable relative is found, the child is placed with the~~
13 ~~department or a legal custodian or other adult approved by the~~
14 ~~court, both the department and the court shall consider~~
15 ~~transferring temporary legal custody to an adult relative~~
16 ~~approved by the court at a later date, but neither the~~
17 ~~department nor the court is obligated to so place the child if~~
18 ~~it is in the child's best interest to remain in the current~~
19 ~~placement. For the purposes of this paragraph, "diligent~~
20 ~~efforts to locate an adult relative" means a search similar to~~
21 ~~the diligent search for a parent, but without the continuing~~
22 ~~obligation to search after an initial adequate search is~~
23 ~~completed.~~

24 ~~(12) An agency granted legal custody shall have the~~
25 ~~right to determine where and with whom the child shall live,~~
26 ~~but an individual granted legal custody shall exercise all~~
27 ~~rights and duties personally unless otherwise ordered by the~~
28 ~~court.~~

29 ~~(13) In carrying out the provisions of this chapter,~~
30 ~~the court may order the parents or legal custodians of a child~~
31 ~~who is found to be dependent to participate in family~~

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1 ~~counseling and other professional counseling activities deemed~~
2 ~~necessary for the rehabilitation of the child.~~

3 ~~(14) With respect to a child who is the subject in~~
4 ~~proceedings under this chapter, the court shall issue to the~~
5 ~~department an order to show cause why it should not return the~~
6 ~~child to the custody of the parents upon expiration of the~~
7 ~~case plan, or sooner if the parents have substantially~~
8 ~~complied with the case plan.~~

9 ~~(15) The court may enter an order ending its~~
10 ~~jurisdiction over a child when a child has been returned to~~
11 ~~the parents, provided the court shall not terminate its~~
12 ~~jurisdiction or the department's supervision over the child~~
13 ~~until 6 months after the child's return. The court shall~~
14 ~~determine whether its jurisdiction should be continued or~~
15 ~~terminated in such a case based on a report of the department~~
16 ~~or agency or the child's guardian ad litem, and any other~~
17 ~~relevant factors; if its jurisdiction is to be terminated, the~~
18 ~~court shall enter an order to that effect.~~

19 Section 37. Paragraph (c) of subsection (1) and
20 paragraph (a) of subsection (2) of section 39.5085, Florida
21 Statutes, are amended to read:

22 39.5085 Relative Caregiver Program.--

23 (1) It is the intent of the Legislature in enacting
24 this section to:

25 (c) Recognize that permanency in the best interests of
26 the child can be achieved through a variety of permanency
27 options, including long-term relative custody, guardianship,
28 or adoption, by providing Provide additional placement options
29 and incentives that will achieve permanency and stability for
30 many children who are otherwise at risk of foster care
31 placement because of abuse, abandonment, or neglect, but who

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1 may successfully be able to be placed by the dependency court
2 in the care of such relatives.

3 (2)(a) The Department of Children and Family Services
4 shall establish and operate the Relative Caregiver Program
5 pursuant to eligibility guidelines established in this section
6 as further implemented by rule of the department. The Relative
7 Caregiver Program shall, within the limits of available
8 funding, provide financial assistance to relatives who are
9 within the fifth degree by blood or marriage to the parent or
10 stepparent of a child and who are caring full-time for that
11 child in the role of substitute parent as a result of a
12 court's determination of child abuse, neglect, or abandonment
13 and subsequent placement with the relative pursuant to this
14 chapter. Such placement may be either court-ordered temporary
15 legal custody to the relative under protective supervision of
16 the department pursuant to s. 39.521(1)(b)3~~39.508(9)(a)4~~,
17 or court-ordered placement in the home of a relative as a
18 permanency option ~~under protective supervision of the~~
19 ~~department~~ pursuant to s. 39.622 ~~39.508(9)(a)3~~. The Relative
20 Caregiver Program shall offer financial assistance to
21 caregivers who are relatives and who would be unable to serve
22 in that capacity without the relative caregiver payment
23 because of financial burden, thus exposing the child to the
24 trauma of placement in a shelter or in foster care.

25 Section 38. Section 39.522, Florida Statutes, is
26 created to read:

27 39.522 Postdisposition change of custody.--The court
28 may change the temporary legal custody or the conditions of
29 protective supervision at a postdisposition hearing, without
30 the necessity of another adjudicatory hearing.

31 (1) A child who has been placed in the child's own

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1 home under the protective supervision of an authorized agent
2 of the department, in the home of a relative, in the home of a
3 legal custodian, or in some other place may be brought before
4 the court by the department or by any other interested person,
5 upon the filing of a petition alleging a need for a change in
6 the conditions of protective supervision or the placement. If
7 the parents or other legal custodians deny the need for a
8 change, the court shall hear all parties in person or by
9 counsel, or both. Upon the admission of a need for a change or
10 after such hearing, the court shall enter an order changing
11 the placement, modifying the conditions of protective
12 supervision, or continuing the conditions of protective
13 supervision as ordered. The standard for changing custody of
14 the child shall be the best interest of the child. If the
15 child is not placed in foster care, then the new placement for
16 the child must meet the home study criteria and court approval
17 pursuant to this chapter.

18 (2) In cases where the issue before the court is
19 whether a child should be reunited with a parent, the court
20 shall determine whether the parent has substantially complied
21 with the terms of the case plan to the extent that the safety,
22 well-being, and physical, mental, and emotional health of the
23 child is not endangered by the return of the child to the
24 home.

25 Section 39. Subsection (2) of section 39.601, Florida
26 Statutes, is amended to read:

27 39.601 Case plan requirements.--

28 (2) When the child or parent is receiving services,
29 the case plan shall be filed with the court, for approval by
30 the court, at least 72 hours prior to the disposition hearing.
31 The case plan must be served on all parties whose whereabouts

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1 are known at least 72 hours prior to the disposition hearing
2 and must include, in addition to the requirements in
3 subsection (1), at a minimum:

4 (a) A description of the problem being addressed that
5 includes the behavior or act of a parent resulting in risk to
6 the child and the reason for the department's intervention.

7 (b) A description of the tasks with which the parent
8 must comply and the services to be provided to the parent and
9 child specifically addressing the identified problem,
10 including:

- 11 1. Type of services or treatment.
- 12 2. Frequency of services or treatment.
- 13 3. Location of the delivery of the services.
- 14 4. The accountable department staff or service
15 provider.

16 (c) A description of the measurable objectives,
17 including timeframes for achieving objectives, addressing the
18 identified problem.

19 Section 40. Paragraph (a) of subsection (1) of section
20 39.603, Florida Statutes, is amended to read:

21 39.603 Court approvals of case planning.--

22 (1) At the hearing on the plan, which shall occur in
23 conjunction with the disposition hearing unless otherwise
24 directed by the court, the court shall determine:

25 (a) All parties who were notified and are in
26 attendance at the hearing, either in person or through a legal
27 representative. The court may ~~shall~~ appoint a guardian ad
28 litem under Rule 1.210, Florida Rules of Civil Procedure, to
29 represent the interests of any parent, if the location of the
30 parent is known but the parent is not present at the hearing
31 and the development of the plan is based upon the physical,

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1 emotional, or mental condition or physical location of the
2 parent.

3 Section 41. Section 39.621, Florida Statutes, is
4 created to read:

5 39.621 Permanency determination by the court.--

6 (1) When the court has determined that reunification
7 with either parent is not appropriate, then the court must
8 make a permanency determination for the child.

9 (2) Adoption, pursuant to chapter 63, is the primary
10 permanency option available to the court. If the child is
11 placed with a relative or with a relative of the child's
12 half-brother or half-sister as a permanency option, the court
13 shall recognize the permanency of this placement without
14 requiring the relative to adopt the child.

15 (3) The permanency options listed in the following
16 paragraphs shall only be considered by the court if adoption
17 is determined by the court to not be in the child's best
18 interest, except as otherwise provided in subsection (2):

19 (a) Guardianship pursuant to chapter 744.

20 (b) Long-term custody.

21 (c) Long-term licensed custody.

22 (d) Independent living.

23
24 The permanency placement is intended to continue until the
25 child reaches the age of majority and shall not be disturbed
26 absent a finding by the court that the circumstances of the
27 permanency placement are no longer in the best interest of the
28 child.

29 Section 42. Section 39.622, Florida Statutes, is
30 created to read:

31 39.622 Long-term custody.--When the parents have

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1 either consented to long-term custody, had their parental
2 rights terminated, or failed to substantially comply with a
3 case plan, and the court determines at a judicial review
4 hearing, or at an adjudication hearing held pursuant to this
5 chapter, that reunification is not in the best interest of the
6 child, the court may place the child in the long-term custody
7 of an adult relative or other adult approved by the court who
8 has had custody of the child for at least the 6 preceding
9 months and is willing to care for the child, if all of the
10 following conditions are met:

11 (1) A case plan describing the responsibilities of the
12 relative or other adult, the department, and any other party
13 has been submitted to the court.

14 (2) The case plan for the child does not include
15 reunification with the parents or adoption by the relative or
16 other adult.

17 (3) The child and the relative or other adult are
18 determined not to need protective supervision or preventive
19 services to ensure the stability of the long-term custodial
20 relationship.

21 (4) Each party to the proceeding agrees that a
22 long-term custodial relationship does not preclude the
23 possibility of the child returning to the custody of the
24 parent at a later date if the parent demonstrates a material
25 change in circumstances and the return of the child to the
26 parent is in the child's best interest.

27 (5) The court has considered the reasonable preference
28 of the child if the court has found the child to be of
29 sufficient intelligence, understanding, and experience to
30 express a preference.

31 (6) The court has considered the recommendation of the

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1 guardian ad litem if one has been appointed.

2 (7) The relative or other adult has made a commitment
3 to provide for the child until the child reaches the age of
4 majority and to prepare the child for adulthood and
5 independence.

6 (8) The relative or other adult agrees not to return
7 the child to the physical care and custody of the person from
8 whom the child was removed, including for short visitation
9 periods, without the approval of the court.

10 (9) The court shall retain jurisdiction over the case,
11 and the child shall remain in the long-term custody of the
12 relative or other adult approved by the court, until the order
13 creating the long-term custodial relationship is modified by
14 the court. The court shall discontinue regular judicial-review
15 hearings and may relieve the department of the responsibility
16 for supervising the placement of the child whenever the court
17 determines that the placement is stable and that such
18 supervision is no longer needed. The child must be in the
19 placement for a minimum of 6 continuous months before the
20 court may consider termination of the department's
21 supervision. Notwithstanding the retention of jurisdiction,
22 the placement shall be considered a permanency option for the
23 child when the court relieves the department of the
24 responsibility for supervising the placement. The order
25 terminating supervision by the department shall set forth the
26 powers of the custodian of the child and shall include the
27 powers ordinarily granted to a guardian of the person of a
28 minor unless otherwise specified. The court may modify the
29 order terminating supervision of the long-term placement if it
30 finds that the long-term placement is no longer in the best
31 interest of the child.

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1 (10) A relative or other legal custodian who has been
2 designated as a long-term custodian shall have all of the
3 rights and duties of a parent, including, but not limited to,
4 the right and duty to protect, train, and discipline the child
5 and to provide the child with food, shelter, and education,
6 and ordinary medical, dental, psychiatric, and psychological
7 care, unless these rights and duties are otherwise enlarged or
8 limited by the court order establishing the long-term
9 custodial relationship. The long-term custodian must inform
10 the court in writing of any changes in the residence of the
11 long-term custodian or the child.

12 Section 43. Section 39.623, Florida Statutes, is
13 created to read:

14 39.623 Long-term licensed custody.--The court may
15 approve placement of the child in long-term licensed custody,
16 as a permanency option, when all of the following conditions
17 are met:

18 (1) The child is 14 years of age or older.

19 (2) The child is living in a licensed home and the
20 foster parents desire to provide care for the child on a
21 permanent basis and the foster parents and the child do not
22 desire adoption.

23 (3) The foster parents have made a commitment to
24 provide for the child until he or she reaches the age of
25 majority and to prepare the child for adulthood and
26 independence.

27 (4) The child has remained in the home for a
28 continuous period of no less than 12 months.

29 (5) The foster parents and the child view one another
30 as family and consider living together as the best place for
31 the child to be on a permanent basis.

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1 (6) The department's social services study recommends
2 such placement and finds the child's well-being has been
3 promoted through living with the foster parents.

4
5 Notwithstanding the retention of jurisdiction and supervision
6 by the department, long-term licensed custody placements made
7 pursuant to this section shall be considered a permanency
8 option for the child. For purposes of this section,
9 supervision by the department shall be defined as a minimum of
10 semiannual visits. The order placing the child in long-term
11 licensed custody as a permanency option shall set forth the
12 powers of the foster parents of the child and shall include
13 the powers ordinarily granted to a guardian of the person of a
14 minor unless otherwise specified. The court may modify the
15 permanency option of long-term licensed custody if it finds
16 that the placement is no longer in the best interest of the
17 child.

18 Section 44. Section 39.624, Florida Statutes, is
19 created to read:

20 39.624 Independent living.--The court may approve
21 placement of the child in an independent living arrangement as
22 permanency for any child 16 years of age or older, if it can
23 be clearly established that this type of alternate care
24 arrangement is the most appropriate plan and that the health,
25 safety, and well-being of the child will not be jeopardized by
26 such an arrangement. While in independent living situations,
27 children whose legal custody has been awarded to the
28 department or a licensed child-caring or child-placing agency,
29 or who have been voluntarily placed with such an agency by a
30 parent, guardian, relative, or adult approved by the court,
31 continue to be subject to court review provisions until the

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1 child reaches the age of 18.

2 Section 45. Paragraph (b) of subsection (3) and
3 paragraphs (b) and (c) of subsection (6) of section 39.701,
4 Florida Statutes, are amended to read:

5 39.701 Judicial review.--

6 (3)

7 (b) If the citizen review panel recommends extending
8 the goal of reunification for any case plan beyond 12 months
9 from the date the child was removed from the home or the case
10 plan was adopted, whichever date came first, the court must
11 schedule a judicial review hearing to be conducted by the
12 court within 30 days after receiving the recommendation from
13 the citizen review panel.

14 (6)

15 (b) A copy of the social service agency's written
16 report and the written report of the guardian ad litem must be
17 served on all parties whose whereabouts are known; provided to
18 the attorney of record of the parents; to the parents; to the
19 foster parents or legal custodians; and to the to each citizen
20 review panel, and to the guardian ad litem for the child, or
21 the representative of the guardian ad litem program if the
22 program has been appointed by the court, at least 72 hours
23 before the judicial review hearing or citizen review panel
24 hearing. The requirement for providing parents with a copy of
25 the written report does not apply to those parents who have
26 voluntarily surrendered their child for adoption or who have
27 had their parental rights to the child terminated.

28 (c) In a case in which the child has been permanently
29 placed with the social service agency, the agency shall
30 furnish to the court a written report concerning the progress
31 being made to place the child for adoption. If the child

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1 cannot be placed for adoption, a report on the progress made
2 by the child towards alternative permanency goals or
3 placements, including, but not limited to, guardianship,
4 long-term custody, long-term licensed custody foster care, or
5 independent living, ~~custody to a relative or other adult~~
6 ~~approved by the court on a permanent basis with or without~~
7 ~~legal guardianship, or custody to a foster parent or legal~~
8 ~~custodian on a permanent basis with or without legal~~
9 ~~guardianship~~, must be submitted to the court. The report must
10 be submitted to the court at least 72 hours before each
11 scheduled judicial review.

12 Section 46. Subsection (5) of section 39.803, Florida
13 Statutes, is amended to read:

14 39.803 Identity or location of parent unknown after
15 filing of termination of parental rights petition; special
16 procedures.--

17 (5) If the inquiry under subsection (1) identifies a
18 parent or prospective parent, and that person's location is
19 unknown, the court shall direct the petitioner ~~department~~ to
20 conduct a diligent search for that person before scheduling an
21 adjudicatory hearing regarding the petition for termination of
22 parental rights to dependency of the child unless the court
23 finds that the best interest of the child requires proceeding
24 without actual notice to the person whose location is unknown.

25 Section 47. Section 39.804, Florida Statutes, is
26 amended to read:

27 39.804 Penalties for false statements of
28 paternity.--Any male person or any mother of a dependent child
29 ~~A person~~ who knowingly and willfully makes a false statement
30 concerning the claiming paternity of a child in conjunction
31 with a petition to terminate parental rights under this

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1 chapter and causes such false statement of paternity to be
2 filed with the court commits a misdemeanor of the first
3 degree, punishable as provided in s. 775.082 or s. 775.083. A
4 person who makes a statement claiming paternity in good faith
5 is immune from criminal liability under this section.

6 Section 48. Paragraph (b) of subsection (1) of section
7 39.806, Florida Statutes, is amended to read:

8 39.806 Grounds for termination of parental rights.--

9 (1) The department, the guardian ad litem, a licensed
10 child-placing agency, or any person who has knowledge of the
11 facts alleged or who is informed of said facts and believes
12 that they are true, may petition for the termination of
13 parental rights under any of the following circumstances:

14 (b) Abandonment as defined in s. 39.01(1) or when the
15 identity or location of the parent or parents is unknown and
16 cannot be ascertained by diligent search within 60 days.

17 Section 49. Paragraphs (a) and (b) of subsection (2)
18 of section 39.807, Florida Statutes, are amended to read:

19 39.807 Right to counsel; guardian ad litem.--

20 (2)(a) The court shall appoint a guardian ad litem to
21 represent the best interest of the child in any termination of
22 parental rights proceedings and shall ascertain at each stage
23 of the proceedings whether a guardian ad litem has been
24 appointed.

25 (b) The guardian ad litem has the following
26 responsibilities:

27 1. To investigate the allegations of the petition and
28 any subsequent matters arising in the case and, unless excused
29 by the court, to file a written report. This report must
30 include a statement of the wishes of the child and the
31 recommendations of the guardian ad litem and must be provided

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1 to all parties and the court at least 72 hours before the
2 disposition hearing.

3 2. To be present at all court hearings unless excused
4 by the court.

5 3. To represent the best interests of the child until
6 the jurisdiction of the court over the child terminates or
7 until excused by the court.

8 Section 50. Subsection (4) of section 39.811, Florida
9 Statutes, is amended to read:

10 39.811 Powers of disposition; order of disposition.--

11 (4) If the child is neither in the custody of the
12 department nor in the custody of a parent and the court finds
13 that the grounds for termination of parental rights have been
14 established for either or both parents, the court shall enter
15 an order terminating parental rights for the parent or parents
16 for whom the grounds for termination have been established and
17 placing the child with the department or an appropriate legal
18 custodian. If the parental rights of both parents have been
19 terminated, or if the parental rights of only one parent have
20 been terminated and the court makes specific findings based on
21 evidence presented that placement with the remaining parent is
22 likely to be harmful to the child, the court may order that
23 the child be placed with a legal custodian other than the
24 department after hearing evidence of the suitability of such
25 intended placement. Suitability of the intended placement
26 includes the fitness and capabilities of the proposed legal
27 custodian to function as the primary caregiver for a
28 particular child; and the compatibility of the child with the
29 home in which the child is intended to be placed. If the
30 court orders that a child be placed with a legal custodian
31 under this subsection, the court shall appoint such legal

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1 custodian either as the guardian for the child as provided in
2 s. 744.3021 or as the long-term custodian of the child as
3 provided in s. 39.622 so long as the child has been residing
4 with the legal custodian for a minimum of 6 months. The court
5 may modify the order placing the child in the custody of the
6 legal custodian and revoke the guardianship established under
7 s. 744.3021 or the long-term custodial relationship if the
8 court subsequently finds the placement to be no longer in the
9 best interest of the child.

10 Section 51. Subsections (1) and (2) of section
11 435.045, Florida Statutes, are amended to read:

12 435.045 Requirements for prospective foster or
13 adoptive parents.--

14 (1)(a) Unless an election provided for in subsection
15 (2) is made with respect to the state, the department shall
16 conduct criminal records checks equivalent to the level 2
17 screening required in s. 435.04(1) for any prospective foster
18 or adoptive parent before the foster or adoptive parent may be
19 finally approved for placement of a child on whose behalf
20 foster care maintenance payments or adoption assistance
21 payments under s. 471 of the Social Security Act, 42 U.S.C. s.
22 671, are to be made. Approval shall not be granted:

23 1.(a) In any case in which a record check reveals a
24 felony conviction for child abuse, abandonment, or neglect;
25 for spousal abuse; for a crime against children, including
26 child pornography, or for a crime involving violence,
27 including rape, sexual assault, or homicide but not including
28 other physical assault or battery, if the department finds
29 that a court of competent jurisdiction has determined that the
30 felony was committed at any time; and

31 2.(b) In any case in which a record check reveals a

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1 felony conviction for physical assault, battery, or a
2 drug-related offense, if the department finds that a court of
3 competent jurisdiction has determined that the felony was
4 committed within the past 5 years.

5 (b) Notwithstanding paragraph (a), the department may
6 place a child in a foster home which otherwise meets licensing
7 requirements if state and local criminal records checks do not
8 disqualify the applicant and the department has submitted
9 fingerprint information to the Florida Department of Law
10 Enforcement for forwarding to the Federal Bureau of
11 Investigation and is awaiting the results of the federal
12 criminal records check.

13 (c) Prospective and approved foster parents must
14 disclose to the department any prior or pending local, state,
15 or federal criminal proceedings in which they are or have been
16 involved.

17 (2) For purposes of this section, and ss. 39.401(3)
18 and ~~39.521(1)(d)~~~~39.508(9)(b)~~ and ~~(10)(a)~~, the department and
19 its authorized agents or contract providers are hereby
20 designated a criminal justice agency for the purposes of
21 accessing criminal justice information, including National
22 Crime Information Center information, to be used for enforcing
23 Florida's laws concerning the crimes of child abuse,
24 abandonment, and neglect. This information shall be used
25 solely for purposes supporting the detection, apprehension,
26 prosecution, pretrial release, posttrial release, or
27 rehabilitation of criminal offenders or persons accused of the
28 crimes of child abuse, abandonment, or neglect and shall not
29 be further disseminated or used for any other purposes.

30 Section 52. Paragraph (b) of subsection (3) of section
31 39.0015, Florida Statutes, is amended to read:

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1 39.0015 Child abuse prevention training in the
2 district school system.--

3 (3) DEFINITIONS.--As used in this section:

4 (b) "Child abuse" means those acts as defined in ss.
5 39.01(1), (2), (30), (45), (47), (54), and (65)~~(44), (46),~~
6 ~~(53), and (64)~~, 827.04, and 984.03(1), (2), and (39).

7 Section 53. Subsection (1) of section 39.302, Florida
8 Statutes, is amended to read:

9 39.302 Protective investigations of institutional
10 child abuse, abandonment, or neglect.--

11 (1) The department shall conduct a child protective
12 investigation of each report of institutional child abuse,
13 abandonment, or neglect. Upon receipt of a report which
14 alleges that an employee or agent of the department, or any
15 other entity or person covered by s. 39.01(32) or (49)~~(48)~~,
16 acting in an official capacity, has committed an act of child
17 abuse, abandonment, or neglect, the department shall
18 immediately initiate a child protective investigation and
19 orally notify the appropriate state attorney, law enforcement
20 agency, and licensing agency. These agencies shall
21 immediately conduct a joint investigation, unless independent
22 investigations are more feasible. When conducting
23 investigations onsite or having face-to-face interviews with
24 the child, such investigation visits shall be unannounced
25 unless it is determined by the department or its agent that
26 such unannounced visits would threaten the safety of the
27 child. When a facility is exempt from licensing, the
28 department shall inform the owner or operator of the facility
29 of the report. Each agency conducting a joint investigation
30 shall be entitled to full access to the information gathered
31 by the department in the course of the investigation. A

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1 protective investigation must include an onsite visit of the
 2 child's place of residence. In all cases, the department shall
 3 make a full written report to the state attorney within 3
 4 working days after making the oral report. A criminal
 5 investigation shall be coordinated, whenever possible, with
 6 the child protective investigation of the department. Any
 7 interested person who has information regarding the offenses
 8 described in this subsection may forward a statement to the
 9 state attorney as to whether prosecution is warranted and
 10 appropriate. Within 15 days after the completion of the
 11 investigation, the state attorney shall report the findings to
 12 the department and shall include in such report a
 13 determination of whether or not prosecution is justified and
 14 appropriate in view of the circumstances of the specific case.

15 Section 54. Paragraph (b) of subsection (10) of
 16 section 409.2554, Florida Statutes, is amended to read:

17 409.2554 Definitions.--As used in ss.
 18 409.2551-409.2598, the term:

19 (10) "Support" means:

20 (b) Support for a child who is placed under the
 21 custody of someone other than the custodial parent pursuant to
 22 s. 39.521, s. 39.522, s. 39.622, s. 39.623, or s. 39.624 ~~s.~~
 23 ~~39.508.~~

24 Section 55. Subsection (3) of section 402.40, Florida
 25 Statutes, is repealed.

26
 27 (Redesignate subsequent sections.)
 28
 29

30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

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1 On page 4, line 27, after the semicolon
2
3 insert:
4 amending s. 39.01, F.S.; revising the
5 definition of the term "long-term custody";
6 defining the term "long-term licensed custody";
7 amending s. 39.013, F.S.; providing for
8 precedence of orders of the circuit court in
9 dependency matters involving dissolution or
10 other custody action; deleting provisions
11 relating to state funding of court-appointed
12 counsel for legal guardians at shelter
13 hearings; amending s. 39.0132, F.S., relating
14 to oaths, records, and confidential
15 information; amending s. 39.202, F.S.; revising
16 provisions relating to access to and disclosure
17 of reports and records in cases of child abuse
18 or neglect; amending s. 39.402, F.S., relating
19 to placement in a shelter; amending s. 39.502,
20 F.S., relating to notice, process, and
21 services; amending s. 39.503, F.S., relating to
22 procedures when the identity or location of the
23 parent is unknown; creating a new pt. VII of
24 ch. 39, F.S., relating to disposition and
25 postdisposition change of custody; creating a
26 new pt. IX of ch. 39, F.S., relating to
27 permanency; renumbering and amending s. 39.508,
28 F.S.; revising provisions relating to
29 disposition hearings and powers of disposition;
30 amending s. 39.5085, F.S.; providing intent for
31 achieving permanency through a variety of

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1 permanency options; conforming a
2 cross-reference; creating s. 39.522, F.S.;
3 providing for postdisposition change of
4 custody; amending s. 39.601, F.S.; providing
5 requirements relating to case plans; amending
6 s. 39.603, F.S., relating to court hearings for
7 approval of case planning; authorizing, rather
8 than requiring, court appointment of a guardian
9 ad litem under certain circumstances; creating
10 s. 39.621, F.S.; providing for permanency
11 determinations by the court; creating s.
12 39.622, F.S.; providing conditions and
13 requirements for court placement of a child in
14 long-term custody; creating s. 39.623, F.S.;
15 providing conditions and requirements for court
16 approval of placement in long-term licensed
17 custody; creating s. 39.624, F.S.; providing
18 conditions and requirements for court approval
19 of placement in independent living; amending s.
20 39.701, F.S.; revising provisions relating to
21 judicial review hearings; amending s. 39.803,
22 F.S.; revising procedure relating to diligent
23 search, after filing of a termination of
24 parental rights petition, for a parent whose
25 identity or location is unknown; amending s.
26 39.804, F.S.; providing a penalty for false
27 statements concerning paternity; amending s.
28 39.806, F.S.; providing abandonment as a ground
29 for termination of parental rights; amending s.
30 39.807, F.S.; providing responsibilities of the
31 guardian ad litem; amending s. 39.811, F.S.;

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1 providing for court-ordered disposition of the
 2 child in long-term custody following
 3 termination of parental rights; amending s.
 4 435.045, F.S.; authorizing placement in a
 5 foster home pending
 6 federal-criminal-records-check results;
 7 requiring certain disclosure by prospective and
 8 approved foster parents; amending ss. 39.0015,
 9 39.302, 409.2554, F.S.; conforming
 10 cross-references; repealing s. 402.40(3), F.S.;
 11 abolishing the Child Welfare Standards and
 12 Training Council;

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