

By Senator Mitchell

4-1123-00

See HB

1 A bill to be entitled
2 An act relating to protection of dependent
3 children; amending s. 39.01, F.S.; revising the
4 definition of the term "long-term custody";
5 defining the term "long-term licensed custody";
6 amending s. 39.013, F.S.; providing for
7 precedence and confidentiality of orders of the
8 circuit court in dependency matters involving
9 child custody or visitation; deleting
10 provisions relating to state funding of
11 court-appointed counsel for legal guardians at
12 shelter hearings; amending s. 39.0132, F.S.,
13 relating to oaths, records, and confidential
14 information; amending s. 39.202, F.S.; revising
15 provisions relating to access to and disclosure
16 of reports and records in cases of child abuse
17 or neglect; amending s. 39.402, F.S., relating
18 to placement in a shelter; amending s. 39.502,
19 F.S., relating to notice, process, and
20 services; amending s. 39.503, F.S., relating to
21 procedures when the identity or location of the
22 parent is unknown; creating a new pt. VII of
23 ch. 39, F.S., relating to disposition and
24 postdisposition change of custody; creating a
25 new pt. IX of ch. 39, F.S., relating to
26 permanency; renumbering and amending s. 39.508,
27 F.S.; revising provisions relating to
28 disposition hearings and powers of disposition;
29 creating s. 39.522, F.S.; providing for
30 postdisposition change of custody; amending s.
31 39.601, F.S.; providing requirements relating

1 to case plans; amending s. 39.603, F.S.,
2 relating to court hearings for approval of case
3 planning; authorizing, rather than requiring,
4 court appointment of a guardian ad litem under
5 certain circumstances; creating s. 39.621,
6 F.S.; providing for permanency determinations
7 by the court; creating s. 39.622, F.S.;
8 providing conditions and requirements for court
9 placement of a child in long-term custody;
10 creating s. 39.623, F.S.; providing conditions
11 and requirements for court approval of
12 placement in long-term licensed custody;
13 creating s. 39.624, F.S.; providing conditions
14 and requirements for court approval of
15 placement in independent living; amending s.
16 39.701, F.S.; revising provisions relating to
17 judicial review hearings; amending s. 39.803,
18 F.S.; revising procedure relating to diligent
19 search, after filing of a termination of
20 parental rights petition, for a parent whose
21 identity or location is unknown; amending s.
22 39.804, F.S.; providing a penalty for false
23 statements concerning paternity; amending s.
24 39.806, F.S.; providing abandonment as a ground
25 for termination of parental rights; amending s.
26 39.807, F.S.; providing responsibilities of the
27 guardian ad litem; amending s. 39.811, F.S.;
28 providing for court-ordered disposition of the
29 child in long-term custody following
30 termination of parental rights; amending s.
31 435.045, F.S.; authorizing placement in a

1 foster home pending
2 federal-criminal-records-check results;
3 requiring certain disclosure by prospective and
4 approved foster parents; amending ss. 39.0015,
5 39.302, 39.5085, 409.2554, F.S.; conforming
6 cross-references; providing an effective date.
7

8 Be It Enacted by the Legislature of the State of Florida:
9

10 Section 1. Subsection (42) of section 39.01, Florida
11 Statutes, is amended, present subsections (43) through (72)
12 are renumbered as subsections (44) through (73), respectively,
13 and a new subsection (43) is added to that section, to read:

14 39.01 Definitions.--When used in this chapter, unless
15 the context otherwise requires:

16 (42) "Long-term custody" or "long-term custodial
17 relationship" means the relationship that a juvenile court
18 order creates between a child and an adult relative of the
19 child or other legal custodian approved by the court when the
20 child cannot be placed in the custody of a parent and adoption
21 ~~termination of parental rights~~ is not deemed to be in the best
22 interest of the child. Long-term custody confers upon the
23 relative or other legal custodian, other than the department,
24 the right to physical custody of the child, a right which will
25 not be disturbed by the court except upon request of the legal
26 custodian or upon a showing that the best interest of the
27 child necessitates a change of custody for the child. A
28 relative or other legal custodian who has been designated as a
29 long-term custodian shall have all of the rights and duties of
30 a parent, including, but not limited to, the right and duty to
31 protect, train, and discipline the child and to provide the

1 child with food, shelter, and education, and ordinary medical,
2 dental, psychiatric, and psychological care, unless these
3 rights and duties are otherwise enlarged or limited by the
4 court order establishing the long-term custodial relationship.

5 (43) "Long-term licensed custody" means the
6 relationship that a juvenile court order creates between a
7 child and a placement licensed by the state to provide
8 residential care for dependent children, if the licensed
9 placement is willing and able to continue to care for the
10 child until the child reaches the age of majority.

11 Section 2. Present subsection (10) of section 39.013,
12 Florida Statutes, is amended, present subsections (4) through
13 (10) are renumbered as subsections (5) through (11),
14 respectively, and a new subsection (4) is added to that
15 section, to read:

16 39.013 Procedures and jurisdiction; right to
17 counsel.--

18 (4) The order of the circuit court hearing dependency
19 matters shall be filed by the clerk of the court in any
20 dissolution or other proceeding involving custody or
21 visitation with the child and shall take precedence over other
22 custody and visitation orders entered in those actions. The
23 confidentiality of the dependency orders addressing custody or
24 visitation issues must be maintained pursuant to s. 39.0132(3)
25 by sealing the orders in the file.

26 (11)~~(10)~~ Court-appointed counsel representing indigent
27 parents ~~or legal guardians~~ at shelter hearings shall be paid
28 from state funds appropriated by general law.

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

1 39.0132 Oaths, records, and confidential
2 information.--

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

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

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

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

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

17 (d) Records of proceedings under this chapter part may
18 be used to prove disqualification pursuant to s. 435.06 and
19 for proof regarding such disqualification in a chapter 120
20 proceeding.

21 Section 4. Paragraph (e) of subsection (2) and
22 subsection (7) of section 39.202, Florida Statutes, are
23 amended to read:

24 39.202 Confidentiality of reports and records in cases
25 of child abuse or neglect.--

26 (2) Access to such records, excluding the name of the
27 reporter which shall be released only as provided in
28 subsection (4), shall be granted only to the following
29 persons, officials, and agencies:

30 (e) Any person alleged in the report as having caused
31 the abuse, abandonment, or neglect of a child. This access

1 shall be made available no later than 30 days after the
2 department receives the initial report of abuse, abandonment,
3 or neglect and, when the alleged perpetrator is not a parent,
4 shall be limited to information involving the protective
5 investigation only and shall not include any information
6 relating to subsequent dependency proceedings. However, any
7 information otherwise made confidential or exempt by law shall
8 not be released pursuant to this paragraph.

9 (7) A person who knowingly or willfully makes public
10 or discloses to any unauthorized person any confidential
11 information obtained pursuant to this section ~~contained in the~~
12 ~~central abuse hotline~~ is subject to the penalty provisions of
13 s. 39.205. This notice shall be prominently displayed on the
14 first sheet of any documents released pursuant to this
15 section.

16 Section 5. Paragraph (c) of subsection (8) of section
17 39.402, Florida Statutes, is amended to read:

18 39.402 Placement in a shelter.--

19 (8)

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

21 1. Appoint a guardian ad litem to represent the best
22 interest of the child, unless the court finds that such
23 representation is unnecessary;

24 2. Inform the parents or legal custodians of their
25 right to counsel to represent them at the shelter hearing and
26 at each subsequent hearing or proceeding, and the right of the
27 parents to appointed counsel, pursuant to the procedures set
28 forth in s. 39.013; and

29 3. Give the parents or legal custodians an opportunity
30 to be heard and to present evidence.

31

1 Section 6. Subsection (18) of section 39.502, Florida
2 Statutes, is amended to read:

3 39.502 Notice, process, and service.--

4 (18) In all proceedings under this ~~part~~ chapter, the
5 court shall provide to the parent or legal custodian of the
6 child, at the conclusion of any hearing, a written notice
7 containing the date of the next scheduled hearing. The court
8 shall also include the date of the next hearing in any order
9 issued by the court.

10 Section 7. Subsection (5) of section 39.503, Florida
11 Statutes, is amended to read:

12 39.503 Identity or location of parent unknown; special
13 procedures.--

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

22 Section 8. (1) Present part VII of chapter 39,
23 Florida Statutes, is redesignated as part VIII, and a new part
24 VII, is created, consisting of sections 39.521, Florida
25 Statutes, entitled "Disposition; Postdisposition Change of
26 Custody."

27 (2) Present parts VIII through XI of chapter 39,
28 Florida Statutes, are redesignated as parts X through XIII,
29 respectively, and a new part IX is created, consisting of
30 sections 39.621, 39.622, 39.623, and 39.624, Florida Statutes,
31 entitled "Permanency."

1 Section 9. Section 39.508, Florida Statutes, is
2 renumbered as section 39.521, Florida Statutes, and amended to
3 read:

4 39.521 ~~39.508~~ Disposition hearings; powers of
5 disposition.--

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

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

26 (b) When any child is adjudicated by a court to be
27 dependent, the court, at the disposition hearing, shall by
28 order:

29 1. Require the parent and, when appropriate, the legal
30 custodian and the child, to participate in treatment and
31 services identified as necessary.

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

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

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

1 (d) The court shall, in its written order of
2 disposition, include all of the following:
3 1. The placement or custody of the child.
4 2. Special conditions of placement and visitation.
5 3. Evaluation, counseling, treatment activities, and
6 other actions to be taken by the parties, if ordered.
7 4. The persons or entities responsible for supervising
8 or monitoring services to the child and parent.
9 5. Continuation or discharge of the guardian ad litem,
10 as appropriate.
11 6. The date, time, and location of the next scheduled
12 review hearing, which must occur within the earlier of:
13 a. Ninety days after the disposition hearing;
14 b. Ninety days after the court accepts the case plan;
15 c. Six months after the date of the last review
16 hearing; or
17 d. Six months after the date of the child's removal
18 from his or her home, if no review hearing has been held since
19 the child's removal from the home.
20 7. If the child is in an out-of-home placement, the
21 amount of child support to be paid by the parents, or the
22 guardian of the child's estate if possessed of assets which
23 under law may be disbursed for the care, support, and
24 maintenance of the child. The court may exercise jurisdiction
25 over all child support matters, shall adjudicate the financial
26 obligation, including health insurance, of the child's parents
27 or guardian, and shall enforce the financial obligation as
28 provided in chapter 61. The state's child support enforcement
29 agency shall enforce child support orders under this section
30 in the same manner as child support orders under chapter 61.
31

1 Placement of the child shall not be contingent upon issuance
2 of a support order.

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

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

22
23 For the purposes of this subparagraph, "diligent efforts to
24 locate an adult relative" means a search similar to the
25 diligent search for a parent, but without the continuing
26 obligation to search after an initial adequate search is
27 completed.

28 9. Other requirements necessary to protect the health,
29 safety, and well-being of the child, to preserve the stability
30 of the child's educational placement, and to promote family
31 preservation or reunification whenever possible.

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

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

23 1. For the purposes of this paragraph, the term
24 "reasonable effort" means the exercise of reasonable diligence
25 and care by the department to provide the services ordered by
26 the court or delineated in the case plan.

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

29 a. Enter written findings as to whether or not
30 prevention or reunification efforts were indicated.

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1 b. If prevention or reunification efforts were
2 indicated, include a brief written description of what
3 appropriate and available prevention and reunification efforts
4 were made.

5 c. Indicate in writing why further efforts could or
6 could not have prevented or shortened the separation of the
7 parent and child.

8 3. A court may find that the department has made a
9 reasonable effort to prevent or eliminate the need for removal
10 if:

11 a. The first contact of the department with the family
12 occurs during an emergency;

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

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

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

26 4. A reasonable effort by the department for
27 reunification of the parent and child has been made if the
28 appraisal of the home situation by the department indicates
29 that the severity of the conditions of dependency is such that
30 reunification efforts are inappropriate. The department has
31

1 the burden of demonstrating to the court that reunification
2 efforts were inappropriate.

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

9 (2) The predisposition study ~~shall cover for any~~
10 ~~dependent child all factors specified in s. 61.13(3), and~~ must
11 ~~also~~ provide the court with the following documented
12 information:

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

17 (b) The length of time the child has lived in a
18 stable, satisfactory environment and the desirability of
19 maintaining continuity.

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

21 (d) The home, school, and community record of the
22 child.

23 (e) The reasonable preference of the child, if the
24 court deems the child to be of sufficient intelligence,
25 understanding, and experience to express a preference.

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

27 (g)~~(a)~~ An assessment defining the dangers and risks of
28 returning the child home, including a description of the
29 changes in and resolutions to the initial risks.

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1 (h)~~(b)~~ A description of what risks are still present
2 and what resources are available and will be provided for the
3 protection and safety of the child.

4 (i)~~(c)~~ A description of the benefits of returning the
5 child home.

6 (j)~~(d)~~ A description of all unresolved issues.

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

11 (l)~~(f)~~ The complete report and recommendation of the
12 child protection team of the Department of Health or, if no
13 report exists, a statement reflecting that no report has been
14 made.

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

18 (n)~~(h)~~ A listing ~~The availability~~ of appropriate and
19 available prevention and reunification services for the parent
20 and child to prevent the removal of the child from the home or
21 to reunify the child with the parent after removal, including
22 the availability of family preservation services and an
23 explanation of the following:

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

25 2. If the services were provided, the outcome of the
26 services.

27 3. If the services were not provided, why they were
28 not provided.

29 4. If the services are currently being provided and if
30 they need to be continued ~~through the Family Builders Program,~~
31 ~~the Intensive Crisis Counseling Program, or both.~~

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

4 ~~(j) The efforts by the department to prevent~~
5 ~~out-of-home placement of the child or, when applicable, to~~
6 ~~reunify the parent and child if appropriate services were~~
7 ~~available, including the application of intensive family~~
8 ~~preservation services through the Family Builders Program, the~~
9 ~~Intensive Crisis Counseling Program, or both.~~

10 ~~(k) Whether the services were provided to the parent~~
11 ~~and child.~~

12 ~~(l) If the services were provided, whether they were~~
13 ~~sufficient to meet the needs of the child and the parent and~~
14 ~~to enable the child to remain safely at home or to be returned~~
15 ~~home.~~

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

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

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

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

27 (r)(q) If the child has been removed from the home and
28 will be remaining with a relative or other adult approved by
29 the court, a home study report concerning the proposed
30 placement shall be included in the predisposition report.
31 Prior to recommending to the court any out-of-home placement

1 for a child other than placement in a licensed shelter or
2 foster home, the department shall conduct a study of the home
3 of the proposed legal custodians, which must include, at a
4 minimum:

5 1. An interview with the proposed legal custodians to
6 assess their ongoing commitment and ability to care for the
7 child.

8 2. Records checks through the Florida Abuse Hotline
9 Information System (FAHIS), and local and statewide criminal
10 and juvenile records checks through the Department of Law
11 Enforcement, on all household members 12 years of age or older
12 and any other persons made known to the department who are
13 frequent visitors in the home. Out-of-state criminal records
14 checks must be initiated for any individual designated above
15 who has resided in a state other than Florida provided that
16 state's laws allow the release of these records. The
17 out-of-state criminal records must be filed with the court
18 within 5 days after receipt by the department or its agent.

19 3. An assessment of the physical environment of the
20 home.

21 4. A determination of the financial security of the
22 proposed legal custodians.

23 5. A determination of suitable child care arrangements
24 if the proposed legal custodians are employed outside of the
25 home.

26 6. Documentation of counseling and information
27 provided to the proposed legal custodians regarding the
28 dependency process and possible outcomes.

29 7. Documentation that information regarding support
30 services available in the community has been provided to the
31 proposed legal custodians.

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2 The department shall not place the child or continue the
3 placement of the child in a home under shelter or
4 postdisposition placement if the results of the home study are
5 unfavorable, unless the court finds that this placement is in
6 the child's best interest.

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

10 (t) If placement of the child with anyone other than
11 the child's parent is being considered, the predisposition
12 study shall include the designation of a specific length of
13 time as to when custody by the parent will be reconsidered.

14
15 Any other relevant and material evidence, including other
16 written or oral reports, may be received by the court in its
17 effort to determine the action to be taken with regard to the
18 child and may be relied upon to the extent of its probative
19 value, even though not competent in an adjudicatory hearing.
20 Except as otherwise specifically provided, nothing in this
21 section prohibits the publication of proceedings in a hearing.

22 ~~(3)(a)1. Notwithstanding s. 435.045(1), the department~~
23 ~~may place a child in a foster home which otherwise meets~~
24 ~~licensing requirements if state and local criminal records~~
25 ~~checks do not disqualify the applicant, and the department has~~
26 ~~submitted fingerprint information to the Florida Department of~~
27 ~~Law Enforcement for forwarding to the Federal Bureau of~~
28 ~~Investigation and is awaiting the results of the federal~~
29 ~~criminal records check.~~

30 ~~2. Prospective and approved foster parents must~~
31 ~~disclose to the department any prior or pending local, state,~~

1 ~~or federal criminal proceedings in which they are or have been~~
2 ~~involved.~~

3 ~~(b) Prior to recommending to the court any out-of-home~~
4 ~~placement for a child other than placement in a licensed~~
5 ~~shelter or foster home, the department shall conduct a study~~
6 ~~of the home of the proposed legal custodians, which must~~
7 ~~include, at a minimum:~~

8 ~~1. An interview with the proposed legal custodians to~~
9 ~~assess their ongoing commitment and ability to care for the~~
10 ~~child.~~

11 ~~2. Records checks through the department's automated~~
12 ~~abuse information system, and local and statewide criminal and~~
13 ~~juvenile records checks through the Department of Law~~
14 ~~Enforcement, on all household members 12 years of age or older~~
15 ~~and any other persons made known to the department who are~~
16 ~~frequent visitors in the home.~~

17 ~~3. An assessment of the physical environment of the~~
18 ~~home.~~

19 ~~4. A determination of the financial security of the~~
20 ~~proposed legal custodians.~~

21 ~~5. A determination of suitable child care arrangements~~
22 ~~if the proposed legal custodians are employed outside of the~~
23 ~~home.~~

24 ~~6. Documentation of counseling and information~~
25 ~~provided to the proposed legal custodians regarding the~~
26 ~~dependency process and possible outcomes.~~

27 ~~7. Documentation that information regarding support~~
28 ~~services available in the community has been provided to the~~
29 ~~proposed legal custodians.~~

30 ~~(c) The department shall not place the child or~~
31 ~~continue the placement of the child in the home of the~~

1 ~~proposed legal custodians if the results of the home study are~~
2 ~~unfavorable.~~

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

7 ~~(5) The predisposition study may not be made before~~
8 ~~the adjudication of dependency unless the parents of the child~~
9 ~~consent.~~

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

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

26 ~~(3)(8)~~ (3) When any child is adjudicated by a court to be
27 dependent, and the court finds that removal of the child from
28 the custody of a parent or legal custodian is necessary, the
29 court shall determine the appropriate placement for the child
30 as follows:

31

1 (a) If the court determines that the child can safely
2 remain in the home with the parent with whom the child was
3 residing at the time the events or conditions arose that
4 brought the child within the jurisdiction of the court and
5 that remaining in this home is in the best interest of the
6 child, then the court shall order conditions under which the
7 child may remain or return to the home and that this placement
8 be under the protective supervision of the department for not
9 less than 6 months.

10 (b) If ~~first determine whether~~ there is a parent with
11 whom the child was not residing at the time the events or
12 conditions arose that brought the child within the
13 jurisdiction of the court who desires to assume custody of the
14 child ~~and, if such parent requests custody,~~ the court shall
15 place the child with that the parent upon completion of a home
16 study, unless the court ~~it~~ finds that such placement would
17 endanger the safety, well-being, or physical, mental, or
18 emotional health of the child. Any party with knowledge of the
19 facts may present to the court evidence regarding whether the
20 placement will endanger the safety, well-being, or physical,
21 mental, or emotional health of the child. If the court places
22 the child with such parent, it may do either of the following:

23 1.(a) Order that the parent assume sole custodial
24 responsibilities for the child. The court may also provide for
25 reasonable visitation by the noncustodial parent. The court
26 may then terminate its jurisdiction over the child. The
27 custody order shall continue unless modified by a subsequent
28 order of the circuit court hearing dependency matters. The
29 order of the circuit court hearing dependency matters shall be
30 filed in any dissolution or other custody action or proceeding
31

1 between the parents and shall take precedence over other
2 custody and visitation orders entered in those actions.

3 2.(b) Order that the parent assume custody subject to
4 the jurisdiction of the circuit court hearing dependency
5 matters. The court may order that reunification services be
6 provided to the parent from whom the child has been removed,
7 that services be provided solely to the parent who is assuming
8 physical custody in order to allow that parent to retain later
9 custody without court jurisdiction, or that services be
10 provided to both parents, in which case the court shall
11 determine at every review hearing which parent, if either,
12 shall have custody of the child. The standard for changing
13 custody of the child from one parent to another or to a
14 relative or another adult approved by the court shall be the
15 best interest of the child.

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

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

21 ~~1. Require the parent or legal custodian, and the~~
22 ~~child when appropriate, to participate in treatment and~~
23 ~~services identified as necessary.~~

24 ~~2. Require the parent or legal custodian, and the~~
25 ~~child when appropriate, to participate in mediation if the~~
26 ~~parent or legal custodian refused to participate in mediation.~~

27 ~~3. Place the child under the protective supervision of~~
28 ~~an authorized agent of the department, either in the child's~~
29 ~~own home or, the prospective custodian being willing, in the~~
30 ~~home of a relative of the child or of another adult approved~~
31 ~~by the court, or in some other suitable place under such~~

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

19 4. ~~Place~~ the child in the temporary legal custody of
20 an adult relative or other adult approved by the court who is
21 willing to care for the child, under the protective
22 supervision of the department. The department must supervise
23 this placement until the child reaches permanency status in
24 this home, and in no case for a period of less than 6 months.
25 Permanency in a relative placement shall be by adoption,
26 long-term custody, or guardianship.

27 (d) If the child cannot be safely placed in a
28 nonlicensed placement, the court shall commit the child to the
29 temporary legal custody of the department. Such commitment
30 invests in the department all rights and responsibilities of a
31 legal custodian. The department shall not return any child to

1 the physical care and custody of the person from whom the
2 child was removed, except for court-approved visitation
3 periods, without the approval of the court. The term of such
4 commitment continues until terminated by the court or until
5 the child reaches the age of 18. After the child is committed
6 to the temporary legal custody of the department, all further
7 proceedings under this section are governed by this chapter.

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

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

31

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

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

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

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

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

4 ~~(II) The case plan for the child does not include~~
5 ~~reunification with the parents or adoption by the relative or~~
6 ~~other adult.~~

7 ~~(III) The child and the relative or other adult are~~
8 ~~determined not to need protective supervision or preventive~~
9 ~~services to ensure the stability of the long-term custodial~~
10 ~~relationship, or the department assures the court that~~
11 ~~protective supervision or preventive services will be provided~~
12 ~~in order to ensure the stability of the long-term custodial~~
13 ~~relationship.~~

14 ~~(IV) Each party to the proceeding agrees that a~~
15 ~~long-term custodial relationship does not preclude the~~
16 ~~possibility of the child returning to the custody of the~~
17 ~~parent at a later date, should the parent demonstrate a~~
18 ~~material change in circumstances and the return of the child~~
19 ~~to the parent is in the child's best interest.~~

20 ~~(V) The court has considered the reasonable preference~~
21 ~~of the child if the court has found the child to be of~~
22 ~~sufficient intelligence, understanding, and experience to~~
23 ~~express a preference.~~

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

26 ~~(VII) The relative or other adult has made a~~
27 ~~commitment to provide for the child until the child reaches~~
28 ~~the age of majority and to prepare the child for adulthood and~~
29 ~~independence.~~

30 ~~(VIII) The relative or other adult agrees not to~~
31 ~~return the child to the physical care and custody of the~~

1 ~~person from whom the child was removed, including for short~~
2 ~~visitation periods, without the approval of the court.~~

3 ~~b. The court shall retain jurisdiction over the case,~~
4 ~~and the child shall remain in the long-term custody of the~~
5 ~~relative or other adult approved by the court until the order~~
6 ~~creating the long-term custodial relationship is modified by~~
7 ~~the court. The court shall discontinue regular judicial review~~
8 ~~hearings and may relieve the department of the responsibility~~
9 ~~for supervising the placement of the child whenever the court~~
10 ~~determines that the placement is stable and that such~~
11 ~~supervision is no longer needed. The child must be in the~~
12 ~~placement for a minimum of 6 continuous months before the~~
13 ~~court may consider termination of the department's~~
14 ~~supervision. Notwithstanding the retention of jurisdiction,~~
15 ~~the placement shall be considered a permanency option for the~~
16 ~~child when the court relieves the department of the~~
17 ~~responsibility for supervising the placement. The order~~
18 ~~terminating supervision by the department 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 ~~order terminating supervision of the long-term placement if it~~
23 ~~finds that the long-term placement is no longer in the best~~
24 ~~interest of the child.~~

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

27 ~~(1) The foster child is 16 years of age or older,~~
28 ~~unless the court determines that the history or condition of a~~
29 ~~younger child makes long-term out-of-home care the most~~
30 ~~appropriate placement.~~

31

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

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

5
6 ~~Long-term out-of-home care under the above conditions shall~~
7 ~~not be considered a permanency option.~~

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

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

12 ~~(II) The child is living in a licensed home and the~~
13 ~~foster parents desire to provide care for the child on a~~
14 ~~permanent basis and the foster parents and the child do not~~
15 ~~desire adoption.~~

16 ~~(III) The foster family has made a commitment to~~
17 ~~provide for the child until he or she reaches the age of~~
18 ~~majority and to prepare the child for adulthood and~~
19 ~~independence.~~

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

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

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

28
29 ~~Notwithstanding the retention of jurisdiction and supervision~~
30 ~~by the department, long-term out-of-home care placements made~~
31 ~~pursuant to this section shall be considered a permanency~~

1 ~~option for the child. For purposes of this subsection,~~
2 ~~supervision by the department shall be defined as a minimum of~~
3 ~~semiannual visits. The order placing the child in long-term~~
4 ~~out-of-home care as a permanency option shall set forth the~~
5 ~~powers of the custodian of the child and shall include the~~
6 ~~powers ordinarily granted to a guardian of the person of a~~
7 ~~minor unless otherwise specified. The court may modify the~~
8 ~~permanency option of long-term out-of-home care if it finds~~
9 ~~that the placement is no longer in the best interests of the~~
10 ~~child.~~

11 ~~c. Approve placement of the child in an independent~~
12 ~~living arrangement for any child 16 years of age or older, if~~
13 ~~it can be clearly established that this type of alternate care~~
14 ~~arrangement is the most appropriate plan and that the health,~~
15 ~~safety, and well-being of the child will not be jeopardized by~~
16 ~~such an arrangement. While in independent living situations,~~
17 ~~children whose legal custody has been awarded to the~~
18 ~~department or a licensed child-caring or child-placing agency,~~
19 ~~or who have been voluntarily placed with such an agency by a~~
20 ~~parent, guardian, relative, or adult approved by the court,~~
21 ~~continue to be subject to court review provisions.~~

22 ~~7. Commit the child to the temporary legal custody of~~
23 ~~the department. Such commitment invests in the department all~~
24 ~~rights and responsibilities of a legal custodian. The~~
25 ~~department shall not return any child to the physical care and~~
26 ~~custody of the person from whom the child was removed, except~~
27 ~~for court-approved visitation periods, without the approval of~~
28 ~~the court. The term of such commitment continues until~~
29 ~~terminated by the court or until the child reaches the age of~~
30 ~~18. After the child is committed to the temporary custody of~~
31

1 ~~the department, all further proceedings under this section are~~
2 ~~also governed by this chapter.~~

3 ~~8.a. Change the temporary legal custody or the~~
4 ~~conditions of protective supervision at a postdisposition~~
5 ~~hearing, without the necessity of another adjudicatory~~
6 ~~hearing. A child who has been placed in the child's own home~~
7 ~~under the protective supervision of an authorized agent of the~~
8 ~~department, in the home of a relative, in the home of a legal~~
9 ~~custodian, or in some other place may be brought before the~~
10 ~~court by the department or by any other interested person,~~
11 ~~upon the filing of a petition alleging a need for a change in~~
12 ~~the conditions of protective supervision or the placement. If~~
13 ~~the parents or other legal custodians deny the need for a~~
14 ~~change, the court shall hear all parties in person or by~~
15 ~~counsel, or both. Upon the admission of a need for a change or~~
16 ~~after such hearing, the court shall enter an order changing~~
17 ~~the placement, modifying the conditions of protective~~
18 ~~supervision, or continuing the conditions of protective~~
19 ~~supervision as ordered. The standard for changing custody of~~
20 ~~the child shall be the best interest of the child. If the~~
21 ~~child is not placed in foster care, then the new placement for~~
22 ~~the child must meet the home study criteria and court approval~~
23 ~~pursuant to this chapter.~~

24 ~~b. In cases where the issue before the court is~~
25 ~~whether a child should be reunited with a parent, the court~~
26 ~~shall determine whether the parent has substantially complied~~
27 ~~with the terms of the case plan to the extent that the safety,~~
28 ~~well-being, and physical, mental, and emotional health of the~~
29 ~~child is not endangered by the return of the child to the~~
30 ~~home.~~

31

1 ~~(b) The court shall, in its written order of~~
2 ~~disposition, include all of the following:~~
3 ~~1. The placement or custody of the child as provided~~
4 ~~in paragraph (a).~~
5 ~~2. Special conditions of placement and visitation.~~
6 ~~3. Evaluation, counseling, treatment activities, and~~
7 ~~other actions to be taken by the parties, if ordered.~~
8 ~~4. The persons or entities responsible for supervising~~
9 ~~or monitoring services to the child and parent.~~
10 ~~5. Continuation or discharge of the guardian ad litem,~~
11 ~~as appropriate.~~
12 ~~6. The date, time, and location of the next scheduled~~
13 ~~review hearing, which must occur within the earlier of:~~
14 ~~a. Ninety days after the disposition hearing;~~
15 ~~b. Ninety days after the court accepts the case plan;~~
16 ~~c. Six months after the date of the last review~~
17 ~~hearing; or~~
18 ~~d. Six months after the date of the child's removal~~
19 ~~from his or her home, if no review hearing has been held since~~
20 ~~the child's removal from the home.~~
21 ~~7. 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 ~~(c) 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

1 ~~safety, well-being, and physical, mental, and emotional health~~
2 ~~will not be endangered.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 ~~(11)(a) If the court does not commit the child to the~~
22 ~~temporary legal custody of an adult relative, legal custodian,~~
23 ~~or other adult approved by the court, the disposition order~~
24 ~~shall include the reasons for such a decision and shall~~
25 ~~include a determination as to whether diligent efforts were~~
26 ~~made by the department to locate an adult relative, legal~~
27 ~~custodian, or other adult willing to care for the child in~~
28 ~~order to present that placement option to the court instead of~~
29 ~~placement with the department.~~

30 ~~(b) If diligent efforts are made to locate an adult~~
31 ~~relative willing and able to care for the child but, because~~

1 ~~no suitable relative is found, the child is placed with the~~
2 ~~department or a legal custodian or other adult approved by the~~
3 ~~court, both the department and the court shall consider~~
4 ~~transferring temporary legal custody to an adult relative~~
5 ~~approved by the court at a later date, but neither the~~
6 ~~department nor the court is obligated to so place the child if~~
7 ~~it is in the child's best interest to remain in the current~~
8 ~~placement. For the purposes of this paragraph, "diligent~~
9 ~~efforts to locate an adult relative" means a search similar to~~
10 ~~the diligent search for a parent, but without the continuing~~
11 ~~obligation to search after an initial adequate search is~~
12 ~~completed.~~

13 ~~(12) 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 ~~(13) In carrying out the provisions of this chapter,~~
19 ~~the court may order the parents or legal custodians of a child~~
20 ~~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 child.~~

23 ~~(14) With respect to a child who is the subject in~~
24 ~~proceedings under this chapter, the court shall 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 ~~(15) 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~~

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 Section 10. Section 39.522, Florida Statutes, is
9 created to read:

10 39.522 Postdisposition change of custody.--The court
11 may change the temporary legal custody or the conditions of
12 protective supervision at a postdisposition hearing, without
13 the necessity of another adjudicatory hearing.

14 (1) A child who has been placed in the child's own
15 home under the protective supervision of an authorized agent
16 of the department, in the home of a relative, in the home of a
17 legal custodian, or in some other place may be brought before
18 the court by the department or by any other interested person,
19 upon the filing of a petition alleging a need for a change in
20 the conditions of protective supervision or the placement. If
21 the parents or other legal custodians deny the need for a
22 change, the court shall hear all parties in person or by
23 counsel, or both. Upon the admission of a need for a change or
24 after such hearing, the court shall enter an order changing
25 the placement, modifying the conditions of protective
26 supervision, or continuing the conditions of protective
27 supervision as ordered. The standard for changing custody of
28 the child shall be the best interest of the child. If the
29 child is not placed in foster care, then the new placement for
30 the child must meet the home study criteria and court approval
31 pursuant to this chapter.

1 (2) In cases where the issue before the court is
2 whether a child should be reunited with a parent, the court
3 shall determine whether the parent has substantially complied
4 with the terms of the case plan to the extent that the safety,
5 well-being, and physical, mental, and emotional health of the
6 child is not endangered by the return of the child to the
7 home.

8 Section 11. Subsection (2) and paragraph (a) of
9 subsection (3) of section 39.601, Florida Statutes, are
10 amended to read:

11 39.601 Case plan requirements.--

12 (2) When the child or parent is receiving services,
13 the case plan shall be filed with the court, for approval by
14 the court, at least 72 hours prior to the disposition hearing.
15 The case plan must be served on all parties whose whereabouts
16 are known at least 72 hours prior to the disposition hearing
17 and must include, in addition to the requirements in
18 subsection (1), at a minimum:

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

22 (b) A description of the tasks with which the parent
23 must comply and the services to be provided to the parent and
24 child specifically addressing the identified problem,
25 including:

- 26 1. Type of services or treatment.
- 27 2. Frequency of services or treatment.
- 28 3. Location of the delivery of the services.
- 29 4. The accountable department staff or service
30 provider.

31

1 (c) A description of the measurable objectives,
2 including timeframes for achieving objectives, addressing the
3 identified problem.

4 (3) When the child is receiving services in an
5 out-of-home placement, the case plan must be filed with the
6 court, for approval by the court, at least 72 hours prior to
7 the disposition hearing. The case plan must be served on all
8 parties whose whereabouts are known at least 72 hours prior to
9 the disposition hearing and must include, in addition to the
10 requirements in subsections (1) and (2), at a minimum:

11 (a) A description of the permanency goal for the
12 child, including the type of placement. Alternative permanency
13 goals, when appropriate, shall be identified and pursued
14 ~~Reasonable efforts to place a child in a home that will serve~~
15 ~~as an adoptive placement if reunification is not successful,~~
16 ~~or with a legal custodian, may be made concurrently with~~
17 reasonable efforts to reunify the child with a parent prevent
18 ~~removal of the child from the home or make it possible for the~~
19 ~~child to return safely home.~~

20 Section 12. Paragraph (a) of subsection (1) of section
21 39.603, Florida Statutes, is amended to read:

22 39.603 Court approvals of case planning.--

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

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

1 and the development of the plan is based upon the physical,
2 emotional, or mental condition or physical location of the
3 parent.

4 Section 13. Section 39.621, Florida Statutes, is
5 created to read:

6 39.621 Permanency determination by the court.--

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

10 (2) Adoption, pursuant to chapter 63, is the primary
11 permanency option available to the court.

12 (3) The permanency options listed in the following
13 paragraphs shall only be considered by the court if adoption
14 is determined by the court to not be in the child's best
15 interest:

16 (a) Guardianship pursuant to chapter 744.

17 (b) Long-term custody.

18 (c) Long-term licensed custody.

19 (d) Independent living.

20

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

26 Section 14. Section 39.622, Florida Statutes, is
27 created to read:

28 39.622 Long-term custody.--When the parents have
29 either consented to long-term custody, had their parental
30 rights terminated, or failed to substantially comply with a
31 case plan, and the court determines at a judicial review

1 hearing, or at an adjudication hearing held pursuant to this
2 chapter, that neither reunification nor adoption is in the
3 best interest of the child, the court may place the child in
4 the long-term custody of an adult relative or other adult
5 approved by the court who has had custody of the child for at
6 least the 6 preceding months and is willing to care for the
7 child, if all of the following conditions are met:

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

11 (2) The case plan for the child does not include
12 reunification with the parents or adoption by the relative or
13 other adult.

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

18 (4) The court has considered the reasonable preference
19 of the child if the court has found the child to be of
20 sufficient intelligence, understanding, and experience to
21 express a preference.

22 (5) The court has considered the recommendation of the
23 guardian ad litem if one has been appointed.

24 (6) The relative or other adult has made a commitment
25 to provide for the child until the child reaches the age of
26 majority and to prepare the child for adulthood and
27 independence.

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

1 (8) The court shall retain jurisdiction over the case,
2 and the child shall remain in the long-term custody of the
3 relative or other adult approved by the court unless the order
4 creating the long-term custodial relationship is modified by
5 the court. The court shall discontinue regular judicial review
6 hearings and relieve the department of the responsibility for
7 supervising the placement of the child. The order terminating
8 supervision by the department shall set forth the powers of
9 the legal custodian of the child and shall include the powers
10 ordinarily granted to a guardian of the person of a minor
11 unless otherwise specified. The court may modify the terms of
12 the long-term placement if it is in the best interest of the
13 child.

14 (9) A relative or other legal custodian who has been
15 designated as a long-term custodian shall have all of the
16 rights and duties of a parent, including, but not limited to,
17 the right and duty to protect, train, and discipline the child
18 and to provide the child with food, shelter, and education,
19 and ordinary medical, dental, psychiatric, and psychological
20 care, unless these rights and duties are otherwise enlarged or
21 limited by the court order establishing the long-term
22 custodial relationship. The long-term custodian must inform
23 the court in writing of any changes in the residence of the
24 long-term custodian or the child.

25 Section 15. Section 39.623, Florida Statutes, is
26 created to read:

27 39.623 Long-term licensed custody.--The court may
28 approve placement of the child in long-term licensed custody,
29 as a permanency option, when all of the following conditions
30 are met:

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

1 (2) The child is living in a licensed home and the
2 foster parents desire to provide care for the child on a
3 permanent basis and the foster parents and the child do not
4 desire adoption.

5 (3) The foster parents have made a commitment to
6 provide for the child until he or she reaches the age of
7 majority and to prepare the child for adulthood and
8 independence.

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

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

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

17
18 Notwithstanding the retention of jurisdiction and supervision
19 by the department, long-term licensed custody placements made
20 pursuant to this section shall be considered a permanency
21 option for the child. For purposes of this section,
22 supervision by the department shall be defined as a minimum of
23 semiannual visits. The order placing the child in long-term
24 licensed custody as a permanency option shall set forth the
25 powers of the foster parents of the child and shall include
26 the powers ordinarily granted to a guardian of the person of a
27 minor unless otherwise specified. The court may modify the
28 permanency option of long-term licensed custody if it finds
29 that the placement is no longer in the best interest of the
30 child.

31

1 Section 16. Section 39.624, Florida Statutes, is
2 created to read:

3 39.624 Independent living.--The court may approve
4 placement of the child in an independent living arrangement as
5 permanency for any child 16 years of age or older, if it can
6 be clearly established that this type of alternate care
7 arrangement is the most appropriate plan and that the health,
8 safety, and well-being of the child will not be jeopardized by
9 such an arrangement. While in independent living situations,
10 children whose legal custody has been awarded to the
11 department or a licensed child-caring or child-placing agency,
12 or who have been voluntarily placed with such an agency by a
13 parent, guardian, relative, or adult approved by the court,
14 continue to be subject to court review provisions until the
15 child reaches the age of 18.

16 Section 17. Paragraph (b) of subsection (3) and
17 paragraphs (b) and (c) of subsection (6) of section 39.701,
18 Florida Statutes, are amended to read:

19 39.701 Judicial review.--

20 (3)

21 (b) If the citizen review panel recommends extending
22 the goal of reunification for any case plan beyond 12 months
23 from the date the child was removed from the home or the case
24 plan was adopted, whichever date came first, the court must
25 schedule a judicial review hearing to be conducted by the
26 court within 30 days after receiving the recommendation from
27 the citizen review panel.

28 (6)

29 (b) A copy of the social service agency's written
30 report and the written report of the guardian ad litem must be
31 served on all parties whose whereabouts are known;~~provided to~~

1 ~~the attorney of record of the parents; to the parents;~~to the
2 foster parents or legal custodians; and to the to each citizen
3 review panel, ~~and to the guardian ad litem for the child, or~~
4 ~~the representative of the guardian ad litem program if the~~
5 ~~program has been appointed by the court,~~at least 72 hours
6 before the judicial review hearing or citizen review panel
7 hearing. The requirement for providing parents with a copy of
8 the written report does not apply to those parents who have
9 voluntarily surrendered their child for adoption or who have
10 had their parental rights to the child terminated.

11 (c) In a case in which the child has been permanently
12 placed with the social service agency, the agency shall
13 furnish to the court a written report concerning the progress
14 being made to place the child for adoption. If the child
15 cannot be placed for adoption, a report on the progress made
16 by the child towards alternative permanency goals or
17 placements, including, but not limited to, guardianship,
18 long-term custody, long-term licensed custody ~~foster care, or~~
19 ~~independent living, custody to a relative or other adult~~
20 ~~approved by the court on a permanent basis with or without~~
21 ~~legal guardianship, or custody to a foster parent or legal~~
22 ~~custodian on a permanent basis with or without legal~~
23 ~~guardianship,~~ must be submitted to the court. The report must
24 be submitted to the court at least 72 hours before each
25 scheduled judicial review.

26 Section 18. Subsection (5) of section 39.803, Florida
27 Statutes, is amended to read:

28 39.803 Identity or location of parent unknown after
29 filing of termination of parental rights petition; special
30 procedures.--

31

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

9 Section 19. Section 39.804, Florida Statutes, is
10 amended to read:

11 39.804 Penalties for false statements of
12 paternity.--Any male person or any mother of a dependent child
13 ~~A person~~ who knowingly and willfully makes a false statement
14 concerning the ~~claiming~~ paternity of a child in conjunction
15 with a petition to terminate parental rights under this
16 chapter and causes such false statement of paternity to be
17 filed with the court commits a misdemeanor of the first
18 degree, punishable as provided in s. 775.082 or s. 775.083. A
19 person who makes a statement claiming paternity in good faith
20 is immune from criminal liability under this section.

21 Section 20. Paragraph (b) of subsection (1) of section
22 39.806, Florida Statutes, is amended to read:

23 39.806 Grounds for termination of parental rights.--

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

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

1 Section 21. Paragraphs (a) and (b) of subsection (2)
2 of section 39.807, Florida Statutes, are amended to read:

3 39.807 Right to counsel; guardian ad litem.--

4 (2)(a) The court shall appoint a guardian ad litem to
5 represent the best interest of the child in any termination of
6 parental rights proceedings and shall ascertain at each stage
7 of the proceedings whether a guardian ad litem has been
8 appointed.

9 (b) The guardian ad litem has the following
10 responsibilities:

11 1. To investigate the allegations of the petition and
12 any subsequent matters arising in the case and, unless excused
13 by the court, to file a written report. This report must
14 include a statement of the wishes of the child and the
15 recommendations of the guardian ad litem and must be provided
16 to all parties and the court at least 72 hours before the
17 disposition hearing.

18 2. To be present at all court hearings unless excused
19 by the court.

20 3. To represent the best interests of the child until
21 the jurisdiction of the court over the child terminates or
22 until excused by the court.

23 Section 22. Subsection (4) of section 39.811, Florida
24 Statutes, is amended to read:

25 39.811 Powers of disposition; order of disposition.--

26 (4) If the child is neither in the custody of the
27 department nor in the custody of a parent and the court finds
28 that the grounds for termination of parental rights have been
29 established for either or both parents, the court shall enter
30 an order terminating parental rights for the parent or parents
31 for whom the grounds for termination have been established and

1 placing the child with the department or an appropriate legal
2 custodian. If the parental rights of both parents have been
3 terminated, or if the parental rights of only one parent have
4 been terminated and the court makes specific findings based on
5 evidence presented that placement with the remaining parent is
6 likely to be harmful to the child, the court may order that
7 the child be placed with a legal custodian other than the
8 department after hearing evidence of the suitability of such
9 intended placement. Suitability of the intended placement
10 includes the fitness and capabilities of the proposed legal
11 custodian to function as the primary caregiver for a
12 particular child; and the compatibility of the child with the
13 home in which the child is intended to be placed. If the
14 court orders that a child be placed with a legal custodian
15 under this subsection, the court shall appoint such legal
16 custodian either as the guardian for the child as provided in
17 s. 744.3021 or as the long-term custodian of the child as
18 provided in s. 39.622 so long as the child has been residing
19 with the legal custodian for a minimum of 6 months. The court
20 may modify the order placing the child in the custody of the
21 legal custodian and revoke the guardianship established under
22 s. 744.3021 or the long-term custodial relationship if the
23 court subsequently finds the placement to be no longer in the
24 best interest of the child.

25 Section 23. Subsections (1) and (2) of section
26 435.045, Florida Statutes, are amended to read:

27 435.045 Requirements for prospective foster or
28 adoptive parents.--

29 (1)(a) Unless an election provided for in subsection
30 (2) is made with respect to the state, the department shall
31 conduct criminal records checks equivalent to the level 2

1 screening required in s. 435.04(1) for any prospective foster
2 or adoptive parent before the foster or adoptive parent may be
3 finally approved for placement of a child on whose behalf
4 foster care maintenance payments or adoption assistance
5 payments under s. 471 of the Social Security Act, 42 U.S.C. s.
6 671, are to be made. Approval shall not be granted:

7 1.(a) In any case in which a record check reveals a
8 felony conviction for child abuse, abandonment, or neglect;
9 for spousal abuse; for a crime against children, including
10 child pornography, or for a crime involving violence,
11 including rape, sexual assault, or homicide but not including
12 other physical assault or battery, if the department finds
13 that a court of competent jurisdiction has determined that the
14 felony was committed at any time; and

15 2.(b) In any case in which a record check reveals a
16 felony conviction for physical assault, battery, or a
17 drug-related offense, if the department finds that a court of
18 competent jurisdiction has determined that the felony was
19 committed within the past 5 years.

20 (b) Notwithstanding paragraph (a), the department may
21 place a child in a foster home which otherwise meets licensing
22 requirements if state and local criminal records checks do not
23 disqualify the applicant and the department has submitted
24 fingerprint information to the Florida Department of Law
25 Enforcement for forwarding to the Federal Bureau of
26 Investigation and is awaiting the results of the federal
27 criminal records check.

28 (c) Prospective and approved foster parents must
29 disclose to the department any prior or pending local, state,
30 or federal criminal proceedings in which they are or have been
31 involved.

1 (2) For purposes of this section, and ss. 39.401(3)
2 and 39.521(1)(d)~~39.508(9)(b) and (10)(a)~~, the department and
3 its authorized agents or contract providers are hereby
4 designated a criminal justice agency for the purposes of
5 accessing criminal justice information, including National
6 Crime Information Center information, to be used for enforcing
7 Florida's laws concerning the crimes of child abuse,
8 abandonment, and neglect. This information shall be used
9 solely for purposes supporting the detection, apprehension,
10 prosecution, pretrial release, posttrial release, or
11 rehabilitation of criminal offenders or persons accused of the
12 crimes of child abuse, abandonment, or neglect and shall not
13 be further disseminated or used for any other purposes.

14 Section 24. Paragraph (b) of subsection (3) of section
15 39.0015, Florida Statutes, is amended to read:

16 39.0015 Child abuse prevention training in the
17 district school system.--

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

19 (b) "Child abuse" means those acts as defined in ss.
20 39.01(1), (2), (30), (45), (47), (54), and (65)~~(44), (46),~~
21 ~~(53), and (64)~~, 827.04, and 984.03(1), (2), and (39).

22 Section 25. Subsection (1) of section 39.302, Florida
23 Statutes, is amended to read:

24 39.302 Protective investigations of institutional
25 child abuse, abandonment, or neglect.--

26 (1) The department shall conduct a child protective
27 investigation of each report of institutional child abuse,
28 abandonment, or neglect. Upon receipt of a report which
29 alleges that an employee or agent of the department, or any
30 other entity or person covered by s. 39.01(32) or (49)~~(48)~~,
31 acting in an official capacity, has committed an act of child

1 abuse, abandonment, or neglect, the department shall
2 immediately initiate a child protective investigation and
3 orally notify the appropriate state attorney, law enforcement
4 agency, and licensing agency. These agencies shall
5 immediately conduct a joint investigation, unless independent
6 investigations are more feasible. When conducting
7 investigations onsite or having face-to-face interviews with
8 the child, such investigation visits shall be unannounced
9 unless it is determined by the department or its agent that
10 such unannounced visits would threaten the safety of the
11 child. When a facility is exempt from licensing, the
12 department shall inform the owner or operator of the facility
13 of the report. Each agency conducting a joint investigation
14 shall be entitled to full access to the information gathered
15 by the department in the course of the investigation. A
16 protective investigation must include an onsite visit of the
17 child's place of residence. In all cases, the department shall
18 make a full written report to the state attorney within 3
19 working days after making the oral report. A criminal
20 investigation shall be coordinated, whenever possible, with
21 the child protective investigation of the department. Any
22 interested person who has information regarding the offenses
23 described in this subsection may forward a statement to the
24 state attorney as to whether prosecution is warranted and
25 appropriate. Within 15 days after the completion of the
26 investigation, the state attorney shall report the findings to
27 the department and shall include in such report a
28 determination of whether or not prosecution is justified and
29 appropriate in view of the circumstances of the specific case.

30 Section 26. Paragraph (a) of subsection (2) of section
31 39.5085, Florida Statutes, is amended to read:

1 39.5085 Relative Caregiver Program.--
2 (2)(a) The Department of Children and Family Services
3 shall establish and operate the Relative Caregiver Program
4 pursuant to eligibility guidelines established in this section
5 as further implemented by rule of the department. The Relative
6 Caregiver Program shall, within the limits of available
7 funding, provide financial assistance to relatives who are
8 within the fifth degree by blood or marriage to the parent or
9 stepparent of a child and who are caring full-time for that
10 child in the role of substitute parent as a result of a
11 court's determination of child abuse, neglect, or abandonment
12 and subsequent placement with the relative pursuant to this
13 chapter. Such placement may be either court-ordered temporary
14 legal custody to the relative under protective supervision of
15 the department pursuant to s. 39.521(1)(b)3.~~39.508(9)(a)4.~~,
16 or court-ordered placement in the home of a relative as a
17 permanency option ~~under protective supervision of the~~
18 ~~department~~ pursuant to s. 39.622 ~~39.508(9)(a)3.~~ The Relative
19 Caregiver Program shall offer financial assistance to
20 caregivers who are relatives and who would be unable to serve
21 in that capacity without the relative caregiver payment
22 because of financial burden, thus exposing the child to the
23 trauma of placement in a shelter or in foster care.

24 Section 27. Paragraph (b) of subsection (10) of
25 section 409.2554, Florida Statutes, is amended to read:

26 409.2554 Definitions.--As used in ss.
27 409.2551-409.2598, the term:

28 (10) "Support" means:

29 (b) Support for a child who is placed under the
30 custody of someone other than the custodial parent pursuant to
31

1 s. 39.521, s. 39.522, s. 39.622, s. 39.623, or s. 39.624 ~~s.~~
2 ~~39.508.~~

3 Section 28. This act shall take effect July 1, 2000.

4

5 *****

6 LEGISLATIVE SUMMARY

7

8 Revises, reorganizes, and clarifies various provisions
9 relating to the protection of dependent children. (See
10 bill for details.)

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