

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

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

6 3. Require placement of the child either under the
7 protective supervision of an authorized agent of the
8 department in the home of one or both of the child's parents
9 or in the home of a relative of the child or another adult
10 approved by the court, or in the custody of the department or
11 a child care facility registered under s. 409.176. Protective
12 supervision continues until the court terminates it or until
13 the child reaches the age of 18, whichever date is first.
14 Protective supervision shall be terminated by the court
15 whenever the court determines that permanency has been
16 achieved for the child, whether with a parent, another
17 relative, or a legal custodian, and that protective
18 supervision is no longer needed. The termination of
19 supervision may be with or without retaining jurisdiction, at
20 the court's discretion, and shall in either case be considered
21 a permanency option for the child. The order terminating
22 supervision by the department shall set forth the powers of
23 the custodian of the child and shall include the powers
24 ordinarily granted to a guardian of the person of a minor
25 unless otherwise specified. Upon the court's termination of
26 supervision by the department, no further judicial reviews are
27 required, so long as permanency has been established for the
28 child.

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

31 1. The placement or custody of the child.

- 1 2. Special conditions of placement and visitation.
- 2 3. Evaluation, counseling, treatment activities, and
3 other actions to be taken by the parties, if ordered.
- 4 4. The persons or entities responsible for supervising
5 or monitoring services to the child and parent.
- 6 5. Continuation or discharge of the guardian ad litem,
7 as appropriate.
- 8 6. The date, time, and location of the next scheduled
9 review hearing, which must occur within the earlier of:
- 10 a. Ninety days after the disposition hearing;
- 11 b. Ninety days after the court accepts the case plan;
- 12 c. Six months after the date of the last review
13 hearing; or
- 14 d. Six months after the date of the child's removal
15 from his or her home, if no review hearing has been held since
16 the child's removal from the home.
- 17 7. If the child is in an out-of-home placement, child
18 support to be paid by the parents, or the guardian of the
19 child's estate if possessed of assets which under law may be
20 disbursed for the care, support, and maintenance of the child.
21 The court may exercise jurisdiction over all child support
22 matters, shall adjudicate the financial obligation, including
23 health insurance, of the child's parents or guardian, and
24 shall enforce the financial obligation as provided in chapter
25 61. The state's child support enforcement agency shall enforce
26 child support orders under this section in the same manner as
27 child support orders under chapter 61. Placement of the child
28 shall not be contingent upon issuance of a support order.
- 29 8.a. If the court does not commit the child to the
30 temporary legal custody of an adult relative, legal custodian,
31 or other adult approved by the court, the disposition order

1 shall include the reasons for such a decision and shall
2 include a determination as to whether diligent efforts were
3 made by the department to locate an adult relative, legal
4 custodian, or other adult willing to care for the child in
5 order to present that placement option to the court instead of
6 placement with the department.

7 b. If diligent efforts are made to locate an adult
8 relative willing and able to care for the child but, because
9 no suitable relative is found, the child is placed with the
10 department, a Type II child care facility under s. 409.176, or
11 a legal custodian or other adult approved by the court, both
12 the department and the court shall consider transferring
13 temporary legal custody to an adult relative approved by the
14 court at a later date, but neither the department nor the
15 court is obligated to so place the child if it is in the
16 child's best interest to remain in the current placement.

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

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

27 (3) When any child is adjudicated by a court to be
28 dependent, the court shall determine the appropriate placement
29 for the child as follows:

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

1 temporary legal custody of a Type II child care facility under
2 s. 409.176 or an adult relative or other adult approved by the
3 court who is willing to care for the child, under the
4 protective supervision of the department. The department must
5 supervise this placement until the child reaches permanency
6 status in this home, and in no case for a period of less than
7 6 months. Permanency in a relative placement shall be by
8 adoption, long-term custody, or guardianship.

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

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23 Protective supervision continues until the court terminates it
24 or until the child reaches the age of 18, whichever date is
25 first. Protective supervision shall be terminated by the court
26 whenever the court determines that permanency has been
27 achieved for the child, whether with a parent, another
28 relative, or a legal custodian, and that protective
29 supervision is no longer needed. The termination of
30 supervision may be with or without retaining jurisdiction, at
31 the court's discretion, and shall in either case be considered

1 a permanency option for the child. The order terminating
2 supervision by the department shall set forth the powers of
3 the custodian of the child and shall include the powers
4 ordinarily granted to a guardian of the person of a minor
5 unless otherwise specified. Upon the court's termination of
6 supervision by the department, no further judicial reviews are
7 required, so long as permanency has been established for the
8 child.

9 Section 2. Section 39.623, Florida Statutes, is
10 amended to read:

11 39.623 Long-term licensed or registered custody.--The
12 court may approve placement of the child in long-term licensed
13 or registered custody, as a permanency option, when all of the
14 following conditions are met:

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

16 (2) The child is living in a licensed or registered
17 home and the foster parents desire to provide care for the
18 child on a permanent basis and the foster parents and the
19 child do not desire adoption.

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

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

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

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

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

18 Section 3. Section 39.704, Florida Statutes, is
19 amended to read:

20 39.704 Exemptions from judicial review.--Judicial
21 review does not apply to:

22 (1) Minors who have been placed in adoptive homes by a
23 licensed child-placing agency; ~~or~~

24 (2) Minors who are refugees or entrants to whom
25 federal regulations apply and who are in the care of a social
26 service agency; or

27 (3) Minors who are placed in a registered Type II
28 facility or boarding school directly by their parents or legal
29 guardian and for whom no current court case exists.

30 Section 4. This act shall take effect upon becoming a
31 law.

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SENATE SUMMARY

Authorizes the court to order that a child who is adjudicated dependent be placed with a residential child-caring agency or in a family foster home. Provides for the long-term custody placement of such a child. Provides an exemption from judicial review for a child placed in a registered Type II facility or a boarding school directly by his or her parents.