10-1162-07

A bill to be entitled 2 An act relating to temporary custody of a minor 3 child by an extended family; amending s. 4 751.01, F.S.; authorizing the court to consider 5 a child's best interests in determining when to 6 reunite the child with his or her parents; 7 amending s. 751.03, F.S.; providing that a petition for temporary custody may contain a 8 verified statement that the child's best 9 10 interests would be served by granting temporary custody to the petitioner and that the child's 11 12 parents have failed to object; providing an 13 effective date. 14 Be It Enacted by the Legislature of the State of Florida: 15 16 17 Section 1. Subsection (1) of section 751.01, Florida 18 Statutes, is amended to read: 751.01 Purpose of act.--The purposes of ss. 19 751.01-751.05 are to: 20 21 (1) Recognize that many minor children in this state 22 live with and are well cared for by members of their extended 23 families. The parents of these children have often provided for their care by placing them temporarily with another family 24 member who is better able to care for them. Because of the 25 care being provided the children by their extended families, 26 27 they are not dependent children under chapter 39. However, in 2.8 cases in which a child has been left with relatives for lengthy periods of time or substantial portions of the child's 29 life and the child has significant emotional ties to his or 30 her current relative caregivers, the court may consider

1	whether it is in the child's best interests to be reunited
2	with his or her parents at any particular time.
3	Section 2. Section 751.03, Florida Statutes, is
4	amended to read:
5	751.03 Petition for temporary custody; contentsEach
6	petition for temporary custody of a minor child must be
7	verified by the petitioner and must contain statements, to the
8	best of petitioner's knowledge and belief, showing:
9	(1) The name, date of birth, and current address of
10	the child;
11	(2) The names and current addresses of the child's
12	parents;
13	(3) The names and current addresses of the persons
14	with whom the child has lived during the past 5 years;
15	(4) The places where the child has lived during the
16	past 5 years;
17	(5) Information concerning any custody proceeding in
18	this or any other state with respect to the child;
19	(6) The residence and post office address of the
20	petitioner;
21	(7) The petitioner's relationship to the child;
22	(8) The consent of the child's parents: $\overline{\cdot}$ , or
23	specific acts or omissions of the parents which demonstrate
24	that the parents have abused, abandoned, or neglected the
25	child as defined in chapter 39; or a verified statement that
26	the child's best interests would be served by custody being
27	vested with the petitioner and that, after being provided with
28	notice and an opportunity to be heard, the child's parents
29	have failed to object;
30	(9) Any temporary or permanent orders for child

31 support, the court entering the order, and the case number;

1	(10) Any temporary or permanent order for protection
2	entered on behalf of or against either parent, the petitioner,
3	or the child; the court entering the order; and the case
4	number;
5	(11) That it is in the best interest of the child for
6	the petitioner to have custody of the child; and
7	(12) A statement of the period of time the petitioner
8	is requesting temporary custody, including a statement of the
9	reasons supporting that request.
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11	Only an extended family member may file a petition under this
12	chapter.
13	Section 3. This act shall take effect July 1, 2007.
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16	SENATE SUMMARY
17	Provides that a court may consider a child's best interests in determining when to reunite the child with
18	his or her parents. Provides that a petition for temporary custody may contain a verified statement that
19	the child's best interests would be served by granting temporary custody to the petitioner and that the child's
20	parents have failed to object.
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