



609340

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2010	.	
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The Committee on Judiciary (Fasano) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 66 - 160  
and insert:  
placement, if otherwise eligible, receive services pursuant to  
s. 409.1451. Court-ordered commitment or probation with the  
department is not a barrier to eligibility for the array of  
sources available to a youth if he or she were in the dependency  
foster care system alone.

(4) For dependent children in the foster care system,  
adjudication for delinquency may not be considered, by itself,  
as disqualifying criteria for eligibility in the Independent  
Living Program of the Department of Children and Family



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14 Services.

15 (5) To support the provision of opportunities for  
16 participation in transition to adulthood services and subject to  
17 appropriations, the department may:

18 (a) Assess the child's skills and abilities to live  
19 independently and become self-sufficient. The specific services  
20 to be provided to a child shall be determined using an  
21 assessment of his or her readiness for adult life.

22 (b) Develop a list of age-appropriate activities and  
23 responsibilities to be incorporated in the child's written case  
24 plan for any youth 17 years of age or older who is under the  
25 custody or supervision of the department. Activities may  
26 include, but are not limited to, life skills training, including  
27 training to develop banking and budgeting skills, interviewing  
28 and career planning skills, parenting skills, personal health  
29 management, and time management or organizational skills;  
30 educational support; employment training; and counseling.

31 (c) Provide information related to social security  
32 insurance benefits and public assistance.

33 (d) Request parental or guardian permission for the youth  
34 to participate in the transition to adulthood services. Upon  
35 such consent, the age-appropriate activities shall be  
36 incorporated into the youth's written case plan. This plan may  
37 include specific goals and objectives and be reviewed and  
38 updated at least quarterly. If the parent or guardian is  
39 cooperative, the plan must not interfere with the parent's or  
40 guardian's rights to nurture and train his or her child in ways  
41 that are otherwise in compliance with the law and any court  
42 order.



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43           (e) Contract for transition to adulthood programs, which  
44 include residential services and assistance, that allow for the  
45 child to live independently of the daily care and supervision of  
46 an adult in a setting that is not required to be licensed under  
47 s. 409.175. A child under the care or supervision of the  
48 department who has reached 17 years of age but is not yet 19  
49 years of age is eligible for such services if he or she is not a  
50 danger to the public and is able to demonstrate at least  
51 minimally sufficient skill and aptitude for living with  
52 decreased adult supervision, as determined by the department,  
53 using established procedures and assessments.

54           (6) For a child who is 17 years of age or older, under the  
55 department's care or supervision, and without benefit of parents  
56 or legal guardians capable of assisting the child in the  
57 transition to adult life, the department may provide an  
58 assessment to determine the child's skills and abilities to live  
59 independently and become self-sufficient. Based on the results  
60 of the assessment, and within existing resources, services and  
61 training may be provided to the child to develop the necessary  
62 skills and abilities prior to the child's 18th birthday.

63           (7) Services focused on the transition to adulthood for a  
64 child must be part of an overall plan leading to the total  
65 independence of the child from the department's supervision. The  
66 plan must include, but need not be limited to, a description of  
67 the skills of the child and a plan for learning additional  
68 identified skills; the behavior that the child has exhibited  
69 which indicates an ability to be responsible and a plan for  
70 developing additional responsibilities, as appropriate; a plan  
71 for future educational, vocational, and training skills; present



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72 financial and budgeting capabilities and a plan for improving  
73 resources and abilities; a description of the proposed  
74 residence; documentation that the child understands the specific  
75 consequences of his or her conduct in such a program;  
76 documentation of proposed services to be provided by the  
77 department and other agencies, including the type of service and  
78 the nature and frequency of contact; and a plan for maintaining  
79 or developing relationships with family, other adults, friends,  
80 and the community, as appropriate.

81 Section 3. Paragraph (a) of subsection (5) of section  
82 985.0301, Florida Statutes, is amended to read:

83 985.0301 Jurisdiction.-

84 (5) (a) Notwithstanding ss. 743.07, 985.43, 985.433,  
85 985.435, 985.439, and 985.441, and except as provided in ss.  
86 985.461, 985.465, and 985.47 and paragraph (f), when the  
87 jurisdiction of any child who is alleged to have committed a  
88 delinquent act or violation of law is obtained, the court shall  
89 retain jurisdiction, unless relinquished by its order, until the  
90 child reaches 19 years of age, with the same power over the  
91 child that the court had prior to the child becoming an adult.  
92 For purposes of s. 985.461, the court may retain jurisdiction  
93 for an additional 365 days beyond the child's 19th birthday if  
94 the child is participating in a transition to adulthood program.  
95 These additional services are not intended to create an  
96 extension of involuntary court-sanctioned residential commitment  
97 and therefore require voluntary participation by the affected  
98 youth.

99  
100 ===== T I T L E A M E N D M E N T =====



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101 And the title is amended as follows:  
102       Delete line 22  
103 and insert:  
104       adulthood program; providing that certain services  
105       require voluntary participation by affected youth and  
106       are not intended to create an involuntary court-  
107       sanctioned residential commitment; providing an  
108       effective date.