

By Senator Wise

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1 A bill to be entitled
2 An act relating to transitional services for youth;
3 amending s. 985.03, F.S.; defining the term
4 "transition to adulthood"; creating s. 985.461, F.S.;
5 providing legislative intent concerning transition to
6 adulthood services for youth in the custody of the
7 Department of Juvenile Justice; providing for
8 eligibility for services from both departments for
9 youth served by the department who are legally in the
10 custody of the Department of Children and Family
11 Services; providing that an adjudication of
12 delinquency does not, by itself, disqualify a youth in
13 foster care from certain services from the Department
14 of Children and Family Services; providing powers and
15 duties of the Department of Juvenile Justice for
16 transition services; providing for assessments;
17 providing for a plan for a youth leading to
18 independence; amending s. 985.0301, F.S.; providing
19 for retention of court jurisdiction over a child for a
20 specified period beyond the child's 19th birthday if
21 the child is participating in a transition to
22 adulthood program; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Subsections (56) and (57) of section 985.03,
27 Florida Statutes, are renumbered as subsections (57) and (58),
28 respectively, and a new subsection (56) is added to that section
29 to read:

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985.03 Definitions.—As used in this chapter, the term:

(56) "Transition to adulthood" means services for youth in the custody of the department or under the supervision of the department with the objective of acquisition of knowledge, skills, and aptitudes that are essential to pro-social, self-supporting adult life. The services available under this definition may include, but are not limited to:

(a) Assessment of the youth's ability and readiness for adult life.

(b) A plan for the youth to acquire knowledge, information, and counseling sufficient to make a successful transition to adulthood.

(c) Services that have proven effective towards achieving the objective of transition to adulthood.

Section 2. Section 985.461, Florida Statutes, is created to read:

985.461 Transition to adulthood.—

(1) The Legislature finds that older youths are faced with the need to learn how to support themselves. Additional tasks for these youths are to support themselves with legal means and to overcome the stigma of being delinquent. The source in most, but not all, cases for expediting this transition process is parents.

(2) It is the intent of the Legislature that the department may provide to older youths in its custody or under its supervision opportunities to participate in transition to adulthood services while in the department's commitment programs or in probation or conditional release programs in the community. These activities should be reasonable and appropriate

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59 for the youths' respective ages or for any special needs they
60 may have and shall provide them with services to build life
61 skills and increase their ability to live independently and
62 become self-sufficient.

63 (3) Youth served by the department who are legally in the
64 custody of the Department of Children and Family Services, and
65 who entered a juvenile justice placement from a foster care
66 placement, remain eligible to receive services pursuant to s.
67 409.1451. Court-ordered commitment or probation with the
68 department is not a barrier to eligibility for the array of
69 sources available to a youth if he or she were in the dependency
70 foster care system alone.

71 (4) For dependent children in the foster care system,
72 adjudication for delinquency may not be considered, by itself,
73 as disqualifying criteria for eligibility in the Independent
74 Living Program of the Department of Children and Family
75 Services. If upon exiting a departmental residential program the
76 youth's family abandons or deserts him or her or otherwise
77 refuses to resume their parental duties, the adjudication of
78 delinquency is not an impediment to a subsequent adjudication of
79 dependency and eligibility for the foster care system operated
80 by the Department of Children and Family Services.

81 (5) To support the provision of opportunities for
82 participation in transition to adulthood services and within
83 appropriated resources, the department may:

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

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88 (b) Develop a list of age-appropriate activities and
89 responsibilities to be incorporated in the child's written case
90 plan for any youth 17 years of age or older who is under the
91 custody or supervision of the department. Activities may
92 include, but are not limited to, life skills training, including
93 training to develop banking and budgeting skills, interviewing
94 and career planning skills, parenting skills, personal health
95 management, and time management or organizational skills;
96 educational support; employment training; and counseling.

97 (c) Provide information related to social security
98 insurance benefits and public assistance.

99 (d) Request parental or guardian permission for the youth
100 to participate in the transition to adulthood services. Upon
101 such consent, the age-appropriate activities shall be
102 incorporated into the youth's written case plan. This plan may
103 include specific goals and objectives and be reviewed and
104 updated at least quarterly. If the parent or guardian is
105 cooperative, the plan must not interfere with the parent's or
106 guardian's rights to nurture and train his or her child in ways
107 that are otherwise in compliance with the law and any court
108 order.

109 (e) Contract for transition to adulthood programs, which
110 include residential services and assistance, that allow for the
111 child to live independently of the daily care and supervision of
112 an adult in a setting that is not required to be licensed under
113 s. 409.175. A child under the care or supervision of the
114 department who has reached 17 years of age but is not yet 19
115 years of age is eligible for such services if he or she is not a
116 danger to the public and is able to demonstrate at least

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117 minimally sufficient skill and aptitude for living with
118 decreased adult supervision, as determined by the department,
119 using established procedures and assessments.

120 (6) For a child who is 17 years of age or older, under the
121 department's care or supervision, and without benefit of parents
122 or legal guardians capable of assisting the child in the
123 transition to adult life, the department may provide an
124 assessment to determine the child's skills and abilities to live
125 independently and become self-sufficient. Based on the results
126 of the assessment, and within existing resources, services and
127 training may be provided to the child to develop the necessary
128 skills and abilities prior to the child's 18th birthday.

129 (7) Services focused on the transition to adulthood for a
130 child must be part of an overall plan leading to the total
131 independence of the child from the department's supervision. The
132 plan must include, but need not be limited to, a description of
133 the skills of the child and a plan for learning additional
134 identified skills; the behavior that the child has exhibited
135 which indicates an ability to be responsible and a plan for
136 developing additional responsibilities, as appropriate; a plan
137 for future educational, vocational, and training skills; present
138 financial and budgeting capabilities and a plan for improving
139 resources and abilities; a description of the proposed
140 residence; documentation that the child understands the specific
141 consequences of his or her conduct in such a program;
142 documentation of proposed services to be provided by the
143 department and other agencies, including the type of service and
144 the nature and frequency of contact; and a plan for maintaining
145 or developing relationships with family, other adults, friends,

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146 and the community, as appropriate.

147 Section 3. Paragraph (a) of subsection (5) of section
148 985.0301, Florida Statutes, is amended to read:

149 985.0301 Jurisdiction.—

150 (5) (a) Notwithstanding ss. 743.07, 985.43, 985.433,
151 985.435, 985.439, and 985.441, and except as provided in ss.
152 985.461, 985.465, and 985.47 and paragraph (f), when the
153 jurisdiction of any child who is alleged to have committed a
154 delinquent act or violation of law is obtained, the court shall
155 retain jurisdiction, unless relinquished by its order, until the
156 child reaches 19 years of age, with the same power over the
157 child that the court had prior to the child becoming an adult.
158 For purposes of s. 985.461, the court may retain jurisdiction
159 for an additional 365 days beyond the child's 19th birthday if
160 the child is participating in a transition to adulthood program.

161 Section 4. This act shall take effect July 1, 2010.