

By the Committee on Judiciary; and Senator Wise

590-04403A-10

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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 that certain services
23 require voluntary participation by affected youth and
24 are not intended to create an involuntary court-
25 sanctioned residential commitment; providing an
26 effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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590-04403A-10

20101356c1

30 Section 1. Subsections (56) and (57) of section 985.03,
31 Florida Statutes, are renumbered as subsections (57) and (58),
32 respectively, and a new subsection (56) is added to that section
33 to read:

34 985.03 Definitions.—As used in this chapter, the term:

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

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

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

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

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

50 985.461 Transition to adulthood.—

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

57 (2) It is the intent of the Legislature that the department
58 may provide to older youths in its custody or under its

590-04403A-10

20101356c1

59 supervision opportunities to participate in transition to
60 adulthood services while in the department's commitment programs
61 or in probation or conditional release programs in the
62 community. These activities should be reasonable and appropriate
63 for the youths' respective ages or for any special needs they
64 may have and shall provide them with services to build life
65 skills and increase their ability to live independently and
66 become self-sufficient.

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

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

80 (5) To support the provision of opportunities for
81 participation in transition to adulthood services and subject to
82 appropriations, the department may:

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

87 (b) Develop a list of age-appropriate activities and

590-04403A-10

20101356c1

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

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

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

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

590-04403A-10

20101356c1

117 decreased adult supervision, as determined by the department,
118 using established procedures and assessments.

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

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

590-04403A-10

20101356c1

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

148 985.0301 Jurisdiction.—

149 (5) (a) Notwithstanding ss. 743.07, 985.43, 985.433,
150 985.435, 985.439, and 985.441, and except as provided in ss.
151 985.461, 985.465, and 985.47 and paragraph (f), when the
152 jurisdiction of any child who is alleged to have committed a
153 delinquent act or violation of law is obtained, the court shall
154 retain jurisdiction, unless relinquished by its order, until the
155 child reaches 19 years of age, with the same power over the
156 child that the court had prior to the child becoming an adult.
157 For purposes of s. 985.461, the court may retain jurisdiction
158 for an additional 365 days beyond the child's 19th birthday if
159 the child is participating in a transition to adulthood program.
160 These additional services are not intended to create an
161 extension of involuntary court-sanctioned residential commitment
162 and therefore require voluntary participation by the affected
163 youth.

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