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

22
23 Be It Enacted by the Legislature of the State of Florida:

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

29 985.03 Definitions.—As used in this chapter, the term:
 30 (56) "Transition to adulthood" means services for youth in
 31 the custody of the department or under the supervision of the
 32 department with the objective of acquisition of knowledge,
 33 skills, and aptitudes that are essential to pro-social, self-
 34 supporting adult life. The services available under this
 35 definition may include, but are not limited to:

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

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

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

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

45 985.461 Transition to adulthood.—

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

52 (2) It is the intent of the Legislature that the
 53 department may provide to older youths in its custody or under
 54 its supervision opportunities to participate in transition to
 55 adulthood services while in the department's commitment programs
 56 or in probation or conditional release programs in the

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57 community. These activities should be reasonable and appropriate
58 for the youths' respective ages or for any special needs they
59 may have and shall provide them with services to build life
60 skills and increase their ability to live independently and
61 become self-sufficient.

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

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

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

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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
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;

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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.

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