

By Senator Wise

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2011404

1 A bill to be entitled
2 An act relating to transition-to-adulthood services;
3 amending s. 985.03, F.S.; defining the term
4 "transition-to-adulthood services"; creating s.
5 985.461, F.S.; providing legislative intent concerning
6 transition-to-adulthood services for youth in the
7 custody of the Department of Juvenile Justice;
8 providing for eligibility for services for youth
9 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 disqualify a youth in foster care
13 from certain services from the Department of Children
14 and Family Services; providing powers and duties of
15 the Department of Juvenile Justice for transition
16 services; providing for assessments; requiring that
17 services be part of a plan leading to independence;
18 amending s. 985.0301, F.S.; providing for retention of
19 court jurisdiction over a child for a specified period
20 following the child's 19th birthday if the child is
21 participating in transition-to-adulthood services;
22 providing that certain services require voluntary
23 participation by affected youth and do not create an
24 involuntary court-sanctioned residential commitment;
25 providing an effective date.

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27 Be It Enacted by the Legislature of the State of Florida:

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29 Section 1. Present subsections (57) and (58) of section

5-00075-11

2011404__

30 985.03, Florida Statutes, are renumbered as subsections (58) and
31 (59), respectively, and a new subsection (57) is added to that
32 section to read:

33 985.03 Definitions.—As used in this chapter, the term:

34 (57) "Transition-to-adulthood services" means services that
35 are provided for youth in the custody of the department or under
36 the supervision of the department and that have the objective of
37 instilling the knowledge, skills, and aptitudes essential to a
38 socially integrated, self-supporting adult life. The services
39 may include, but are not limited to:

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

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

45 (c) Services that have proven effective toward achieving
46 the transition to adulthood.

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

49 985.461 Transition to adulthood.—

50 (1) The Legislature finds that older youth are faced with
51 the need to learn how to support themselves within legal means
52 and overcome the stigma of being delinquent. In most cases,
53 parents expedite this transition. It is the intent of the
54 Legislature that the department provide older youth in its
55 custody or under its supervision with opportunities for
56 participating in transition-to-adulthood services while in the
57 department's commitment programs or in probation or conditional
58 release programs in the community. These services should be

5-00075-11

2011404

59 reasonable and appropriate for the youths' respective ages or
60 special needs and provide activities that build life skills and
61 increase the ability to live independently and become self-
62 sufficient.

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

71 (3) For a dependent child in the foster care system,
72 adjudication for delinquency does not, by itself, disqualify
73 such child for eligibility in the Department of Children and
74 Family Services' independent living program.

75 (4) To support participation in transition-to-adulthood
76 services and subject to appropriation, the department may:

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

81 (b) Develop a list of age-appropriate activities and
82 responsibilities to be incorporated in the child's written case
83 plan for any youth 17 years of age or older who is under the
84 custody or supervision of the department. Activities may
85 include, but are not limited to, life skills training, including
86 training to develop banking and budgeting skills, interviewing
87 and career planning skills, parenting skills, personal health

5-00075-11

2011404

88 management, and time management or organizational skills;
89 educational support; employment training; and counseling.

90 (c) Provide information related to social security
91 insurance benefits and public assistance.

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

101 (e) Contract for transition-to-adulthood services that
102 include residential services and assistance and allow the child
103 to live independently of the daily care and supervision of an
104 adult in a setting that is not licensed under s. 409.175. A
105 child under the care or supervision of the department who has
106 reached 17 years of age but is not yet 19 years of age is
107 eligible for such services if he or she does not pose a danger
108 to the public and is able to demonstrate minimally sufficient
109 skills and aptitude for living under decreased adult
110 supervision, as determined by the department, using established
111 procedures and assessments.

112 (5) For a child who is 17 years of age or older, under the
113 department's care or supervision, and without benefit of parents
114 or legal guardians capable of assisting the child in the
115 transition to adult life, the department may provide an
116 assessment to determine the child's skills and abilities to live

5-00075-11

2011404

117 independently and become self-sufficient. Based on the
118 assessment and within existing resources, services and training
119 may be provided in order to develop the necessary skills and
120 abilities before the child's 18th birthday.

121 (6) The provision of transition-to-adulthood services must
122 be part of an overall plan leading to the total independence of
123 the child from department supervision. The plan must include,
124 but need not be limited to:

125 (a) A description of the child's skills and a plan for
126 learning additional identified skills;

127 (b) The behavior that the child has exhibited which
128 indicates an ability to be responsible and a plan for developing
129 additional responsibilities, as appropriate;

130 (c) A plan for the provision of future educational,
131 vocational, and training skills;

132 (d) Present financial and budgeting capabilities and a plan
133 for improving resources and abilities;

134 (e) A description of the proposed residence;

135 (f) Documentation that the child understands the specific
136 consequences of his or her conduct in such a program;

137 (g) Documentation of proposed services to be provided by
138 the department and other agencies, including the type of
139 services and the nature and frequency of contact; and

140 (h) A plan for maintaining or developing relationships with
141 family, other adults, friends, and the community, as
142 appropriate.

143 Section 3. Paragraph (a) of subsection (5) of section
144 985.0301, Florida Statutes, is amended to read:

145 985.0301 Jurisdiction.-

5-00075-11

2011404

146 (5) (a) Notwithstanding ss. 743.07, 985.43, 985.433,
147 985.435, 985.439, and 985.441, and except as provided in ss.
148 985.461, 985.465, and 985.47 and paragraph (f), when the
149 jurisdiction of any child who is alleged to have committed a
150 delinquent act or violation of law is obtained, the court shall
151 retain jurisdiction, unless relinquished by its order, until the
152 child reaches 19 years of age, with the same power over the
153 child which ~~that~~ the court had before ~~prior to~~ the child became
154 ~~becoming~~ an adult. For the purposes of s. 985.461, the court may
155 retain jurisdiction for an additional 365 days following the
156 child's 19th birthday if the child is participating in
157 transition-to-adulthood services. The additional services do not
158 extend involuntary court-sanctioned residential commitment and
159 therefore require voluntary participation by the affected youth.

160 Section 4. This act shall take effect July 1, 2011.