

CS/HB 739

2011

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 "transition-
4 to-adulthood services"; 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 eligibility
8 for services for youth served by the department who are
9 legally in the custody of the Department of Children and
10 Family Services; providing that an adjudication of
11 delinquency does not disqualify a youth in foster care
12 from certain services from the Department of Children and
13 Family Services; providing powers and duties of the
14 Department of Juvenile Justice for transition services;
15 providing for assessments; requiring that services be part
16 of a plan leading to independence; amending s. 985.0301,
17 F.S.; providing for retention of court jurisdiction over a
18 child for a specified period following the child's 19th
19 birthday if the child is participating in transition-to-
20 adulthood services; providing that certain services
21 require voluntary participation by affected youth and do
22 not create an involuntary court-sanctioned residential
23 commitment; providing an effective date.

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

26
27 Section 1. Present subsections (57) and (58) of section
28 985.03, Florida Statutes, are renumbered as subsections (58) and

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29 (59), respectively, and a new subsection (57) is added to that
30 section to read:

31 985.03 Definitions.—As used in this chapter, the term:

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

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

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

43 (c) Services that have proven effective toward achieving
44 the transition to adulthood.

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

47 985.461 Transition to adulthood.—

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

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

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

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

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

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

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

85 and career planning skills, parenting skills, personal health
86 management, and time management or organizational skills;
87 educational support; employment training; and counseling.

88 (c) Provide information related to social security
89 insurance benefits and public assistance.

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

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

110 (5) For a child who is 17 years of age or older, under the
111 department's care or supervision, and without benefit of parents
112 or legal guardians capable of assisting the child in the

113 transition to adult life, the department may provide an
114 assessment to determine the child's skills and abilities to live
115 independently and become self-sufficient. Based on the
116 assessment and within existing resources, services and training
117 may be provided in order to develop the necessary skills and
118 abilities before the child's 18th birthday.

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

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

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

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

130 (d) Present financial and budgeting capabilities and a
131 plan for improving resources and abilities;

132 (e) A description of the proposed residence;

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

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

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

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141 Section 3. Paragraph (a) of subsection (5) of section
142 985.0301, Florida Statutes, is amended to read:

143 985.0301 Jurisdiction.—

144 (5) (a) Notwithstanding ss. 743.07, 985.43, 985.433,
145 985.435, 985.439, and 985.441, and except as provided in ss.
146 985.461, 985.465, and 985.47 and paragraph (f), when the
147 jurisdiction of any child who is alleged to have committed a
148 delinquent act or violation of law is obtained, the court shall
149 retain jurisdiction, unless relinquished by its order, until the
150 child reaches 19 years of age, with the same power over the
151 child which ~~that~~ the court had before ~~prior to~~ the child became
152 becoming an adult. For the purposes of s. 985.461, the court may
153 retain jurisdiction for an additional 365 days following the
154 child's 19th birthday if the child is participating in
155 transition-to-adulthood services. The additional services do not
156 extend involuntary court-sanctioned residential commitment and
157 therefore require voluntary participation by the affected youth.

158 Section 4. This act shall take effect October 1, 2011.