

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Children, Families &
2 Seniors Subcommittee
3 Representative Harrell offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Effective January 1, 2019, section 39.4015,
Florida Statutes, is created to read:

39.4015 Family finding.-

(1) LEGISLATIVE FINDINGS AND INTENT.-

(a) The Legislature finds that every child who is in out-
of-home care has the goal of finding a permanent home, whether
achieved by reunifying the child with his or her parents or
finding another permanent connection, such as adoption or legal
guardianship with a relative or nonrelative who has a

Amendment No.

17 significant relationship with the child.

18 (b) The Legislature finds that while legal permanency is
19 important to a child in out-of-home care, emotional permanency
20 helps increase the likelihood that children will achieve
21 stability and well-being and successfully transition to
22 independent adulthood.

23 (c) The Legislature also finds that research has
24 consistently shown that placing a child within his or her own
25 family reduces the trauma of being removed from his or her home,
26 is less likely to result in placement disruptions, and enhances
27 prospects for finding a permanent family if the child cannot
28 return home.

29 (d) The Legislature further finds that the primary purpose
30 of family finding is to facilitate legal and emotional
31 permanency for children who are in out-of-home care by finding
32 and engaging their relatives.

33 (e) It is the intent of the Legislature that every child
34 in out-of-home care be afforded the advantages that can be
35 gained from the use of family finding to establish caring and
36 long-term or permanent connections and relationships for
37 children and youth in out-of-home care, as well as to establish
38 a long-term emotional support network with family members and
39 other adults who may not be able to take the child into their
40 home but who want to stay connected with the child.

41 (2) DEFINITIONS.—As used in this section, the term:

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

42 (a) "Diligent efforts" means the use of methods and
43 techniques including, but not limited to, interviews with
44 immediate and extended family and kin, genograms, eco-mapping,
45 case mining, cold calls, and specialized computer searches.

46 (b) "Family finding" means an intensive relative search
47 and engagement technique used in identifying family and other
48 close adults for children in out-of-home care and involving them
49 in developing and carrying out a plan for the emotional and
50 legal permanency of a child.

51 (c) "Family group decisionmaking" is a generic term that
52 includes a number of approaches in which family members and
53 fictive kin are brought together to make decisions about how to
54 care for their children and develop a plan for services. The
55 term includes family team conferencing, family team meetings,
56 family group conferencing, family team decisionmaking, family
57 unity meetings, and team decisionmaking, which may consist of
58 several phases and employ a trained facilitator or coordinator.

59 (d) "Fictive kin" means an individual who is unrelated to
60 the child by either birth or marriage, but has such a close
61 emotional relationship with the child that he or she may be
62 considered part of the family.

63 (3) FAMILY-FINDING PROGRAM.—The department, in
64 collaboration with sheriffs' offices that conduct child
65 protective investigations and community-based care lead
66 agencies, shall develop a formal family-finding program to be

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

67 implemented statewide by child protective investigators and
68 community-based care lead agencies.

69 (a) Family finding is required as soon as a child is taken
70 into custody of the department, pursuant to s. 39.401, and
71 throughout the duration of the case as necessary, and finding
72 and engaging with as many family members and fictive kin as
73 possible for each child who may help with care or support for
74 the child is considered a best practice. The department or
75 community-based care lead agency must specifically document
76 strategies taken to locate and engage relatives and kin.
77 Strategies of engagement may include, but are not limited to,
78 asking the relatives and kin to:

- 79 1. Participate in a family group decisionmaking
80 conference, family team conferencing, or other family meetings
81 aimed at developing or supporting the family service plan;
82 2. Attend visitations with the child;
83 3. Assist in transportation of the child;
84 4. Provide respite or child care services; or
85 5. Provide actual kinship care.

86 (b) The department and the community-based care lead
87 agencies must use diligent efforts in family finding, must
88 continue those efforts until multiple relatives and kin are
89 identified, and must go beyond basic searching tools by
90 exploring alternative tools and methodologies. Efforts by the
91 department and the community-based care lead agency may include,

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

92 but are not limited to:

93 1. Searching for and locating adult relatives and kin.

94 2. Identifying and building positive connections between
95 the child and the child's relatives and fictive kin.

96 3. Supporting the engagement of relatives and fictive kin
97 in social service planning and delivery of services and creating
98 a network of extended family support to assist in remedying the
99 concerns that led to the child becoming involved with the child
100 welfare system, when appropriate.

101 4. Maintaining family connections, when possible.

102 5. Keeping siblings together in care, when in the best
103 interest of each child and when possible.

104 (c) A basic computer search using the Internet or attempts
105 to contact known relatives at a last known address or telephone
106 number do not constitute effective family finding.

107 (d) The court's inquiry and determination regarding family
108 finding should be made at each stage of the case, including a
109 shelter hearing conducted pursuant to s. 39.402. The court shall
110 place its determinations on the record as to whether the
111 department or community-based care lead agency has reasonably
112 engaged in family finding. The level of reasonableness is to be
113 determined by the length of the case and the amount of time the
114 department or community-based care lead agency has had to begin
115 or continue the process.

116 (4) RULEMAKING.—The department shall adopt rules to

Amendment No.

117 implement this section.

118 Section 2. Paragraph (c) of subsection (11) of section
119 39.402, Florida Statutes, and subsection (17) of that section
120 are amended to read:

121 39.402 Placement in a shelter.—

122 (11)

123 (c) The court shall request that the parents consent to
124 provide access to the child's child care records, early
125 education program records, or other educational records and
126 provide information to the court, the department or its contract
127 agencies, and any guardian ad litem or attorney for the child.
128 If a parent is unavailable or unable to consent or withholds
129 consent and the court determines access to the records and
130 information is necessary to provide services to the child, the
131 court shall issue an order granting access.

132 (17) At the shelter hearing, the court shall inquire of
133 the parent whether the parent has relatives who might be
134 considered as a placement for the child. The parent shall
135 provide to the court and all parties identification and location
136 information regarding the relatives. The court shall advise the
137 parent that the parent has a continuing duty to inform the
138 department of any relative who should be considered for
139 placement of the child. The court shall place its determinations
140 on the record as to whether the department or community-based
141 care lead agency has reasonably engaged in family finding. The

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

142 level of reasonableness is to be determined by the length of the
143 case and amount of time the department or community-based care
144 lead agency has had to begin or continue the process.

145 Section 3. Present subsection (9) of section 39.506,
146 Florida Statutes, is redesignated as subsection (10), and a new
147 subsection (9) is added to that section, to read:

148 39.506 Arraignment hearings.—

149 (9) The court shall review whether the department or
150 community-based care lead agency has reasonably engaged in
151 family finding and make a written determination as to its
152 findings. The level of reasonableness is determined by the
153 length of the case and amount of time the department or
154 community-based care lead agency has had to begin or continue
155 the process.

156 Section 4. Paragraphs (c) and (d) of subsection (7) of
157 section 39.507, Florida Statutes, are amended to read:

158 39.507 Adjudicatory hearings; orders of adjudication.—

159 (7)

160 (c) If a court adjudicates a child dependent and the child
161 is in out-of-home care, the court shall inquire of the parent or
162 parents whether the parents have relatives who might be
163 considered as a placement for the child. ~~The court shall advise~~
164 ~~the parents that, if the parents fail to substantially comply~~
165 ~~with the case plan, their parental rights may be terminated and~~
166 ~~that the child's out-of-home placement may become permanent.~~ The

Amendment No.

167 parent or parents shall provide to the court and all parties
168 identification and location information of the relatives. The
169 court shall review whether the department or community-based
170 care lead agency has reasonably engaged in family finding and
171 make a written determination as to its findings. The level of
172 reasonableness is determined by the length of the case and
173 amount of time the department or community-based care lead
174 agency has had to begin or continue the process.

175 (d) The court shall advise the parents that, if they fail
176 to substantially comply with the case plan, their parental
177 rights may be terminated and that the child's out-of-home
178 placement may become permanent.

179 Section 5. Section 39.5086, Florida Statutes, is created
180 to read:

181 39.5086 KINSHIP NAVIGATOR PROGRAMS.—

182 (1) DEFINITIONS.—As used this section, the term:

183 (a) "Fictive kin" means the same as in s. 39.4015(2)(d).

184 (b) "Kinship care" means the full-time care of a child
185 placed in out-of-home care by the court in the home of a
186 relative or fictive kin.

187 (c) "Kinship navigator program" means a statewide program
188 designed to ensure that kinship caregivers are provided with
189 necessary resources for the preservation of the family.

190 (d) "Relative" means an individual who is caring full time
191 for a child placed in out-of-home care by the court and who:

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

192 1. Is related to the child within the fifth degree by
193 blood or marriage to the parent or stepparent of the child; or

194 2. Is related to a half-sibling of that child within the
195 fifth degree by blood or marriage to the parent or stepparent.

196 (2) PURPOSE AND SERVICES.—

197 (a) The purpose of a kinship navigator program is to help
198 relative caregivers and fictive kin in the child welfare system
199 to navigate the broad range of services available to them and
200 the children from public, private, community, and faith-based
201 organizations.

202 (b) By January 1, 2019, each community-based care lead
203 agency shall establish a kinship navigator program. In order to
204 meet the requirements of a kinship navigator program, the
205 program must:

206 1. Be coordinated with other state or local agencies that
207 promote service coordination or provide information and referral
208 services, including any entities that participate in the Florida
209 211 Network, to avoid duplication or fragmentation of services
210 to kinship care families;

211 2. Be planned and operated in consultation with kinship
212 caregivers and organizations representing them, youth raised by
213 kinship caregivers, relevant governmental agencies, and relevant
214 community-based or faith-based organizations;

Amendment No.

215 3. Establish a toll-free telephone hotline to provide
216 information to link kinship caregivers, kinship support group
217 facilitators, and kinship service providers to:

218 a. One another;

219 b. Eligibility and enrollment information for federal,
220 state, and local benefits;

221 c. Relevant training to assist kinship caregivers in
222 caregiving and in obtaining benefits and services; and

223 d. Relevant knowledge related to legal options available
224 for child custody, other legal assistance, and help in obtaining
225 legal services.

226 4. Provide outreach to kinship care families, including by
227 establishing, distributing, and updating a kinship care website,
228 or other relevant guides or outreach materials; and

229 5. Promote partnerships between public and private
230 agencies, including schools, community-based or faith-based
231 organizations, and relevant governmental agencies, to increase
232 their knowledge of the needs of kinship care families to promote
233 better services for those families.

234 (3) RULEMAKING.— The department shall adopt rules to
235 implement this section.

236 Section 6. Paragraph (e) of subsection (1) of section
237 39.521, Florida Statutes, is amended to read:

238 39.521 Disposition hearings; powers of disposition.—

Amendment No.

239 (1) A disposition hearing shall be conducted by the court,
240 if the court finds that the facts alleged in the petition for
241 dependency were proven in the adjudicatory hearing, or if the
242 parents or legal custodians have consented to the finding of
243 dependency or admitted the allegations in the petition, have
244 failed to appear for the arraignment hearing after proper
245 notice, or have not been located despite a diligent search
246 having been conducted.

247 (e) The court shall, in its written order of disposition,
248 include all of the following:

- 249 1. The placement or custody of the child.
- 250 2. Special conditions of placement and visitation.
- 251 3. Evaluation, counseling, treatment activities, and other
252 actions to be taken by the parties, if ordered.
- 253 4. The persons or entities responsible for supervising or
254 monitoring services to the child and parent.
- 255 5. Continuation or discharge of the guardian ad litem, as
256 appropriate.
- 257 6. The date, time, and location of the next scheduled
258 review hearing, which must occur within the earlier of:
 - 259 a. Ninety days after the disposition hearing;
 - 260 b. Ninety days after the court accepts the case plan;
 - 261 c. Six months after the date of the last review hearing;

262 or

Amendment No.

263 d. Six months after the date of the child's removal from
264 his or her home, if no review hearing has been held since the
265 child's removal from the home.

266 7. If the child is in an out-of-home placement, child
267 support to be paid by the parents, or the guardian of the
268 child's estate if possessed of assets which under law may be
269 disbursed for the care, support, and maintenance of the child.
270 The court may exercise jurisdiction over all child support
271 matters, shall adjudicate the financial obligation, including
272 health insurance, of the child's parents or guardian, and shall
273 enforce the financial obligation as provided in chapter 61. The
274 state's child support enforcement agency shall enforce child
275 support orders under this section in the same manner as child
276 support orders under chapter 61. Placement of the child shall
277 not be contingent upon issuance of a support order.

278 8.a. If the court does not commit the child to the
279 temporary legal custody of an adult relative, legal custodian,
280 or other adult approved by the court, the disposition order must
281 ~~shall~~ include the reasons for such a decision and ~~shall include~~
282 a written determination as to whether ~~diligent efforts were made~~
283 ~~by~~ the department and the community-based care lead agency
284 reasonably engaged in family finding in attempting to locate an
285 adult relative, legal custodian, or other adult willing to care
286 for the child in order to present that placement option to the
287 court instead of placement with the department. The level of

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

288 reasonableness is determined by the length of the case and
289 amount of time the department or community-based care lead
290 agency has had to begin or continue the process.

291 b. If no suitable relative is found and the child is
292 placed with the department or a legal custodian or other adult
293 approved by the court, both the department and the court shall
294 consider transferring temporary legal custody to an adult
295 relative approved by the court at a later date, but neither the
296 department nor the court is obligated to so place the child if
297 it is in the child's best interest to remain in the current
298 placement.

299
300 ~~For the purposes of this section, "diligent efforts to locate an~~
301 ~~adult relative" means a search similar to the diligent search~~
302 ~~for a parent, but without the continuing obligation to search~~
303 ~~after an initial adequate search is completed.~~

304 9. Other requirements necessary to protect the health,
305 safety, and well-being of the child, to preserve the stability
306 of the child's child care, early education program, or any other
307 educational placement, and to promote family preservation or
308 reunification whenever possible.

309 Section 7. Paragraph (b) of subsection (2) and paragraph
310 (a) of subsection (3) of section 39.6012, Florida Statutes, are
311 amended to read:

312 39.6012 Case plan tasks; services.—

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

313 (2) The case plan must include all available information
314 that is relevant to the child's care including, at a minimum:

315 (b) A description of the plan for ensuring that the child
316 receives safe and proper care and that services are provided to
317 the child in order to address the child's needs. To the extent
318 available and accessible, the following health, mental health,
319 and education information and records of the child must be
320 attached to the case plan and updated throughout the judicial
321 review process:

322 1. The names and addresses of the child's health, mental
323 health, and educational providers;

324 2. The child's grade level performance;

325 3. The child's school record or, if the child is under the
326 age of school entry, any records from a child care program,
327 early education program, or preschool program;

328 4. Documentation of compliance or noncompliance with the
329 attendance requirements under s. 39.604, if the child is
330 enrolled in a child care program, early education program, or
331 preschool program;

332 ~~5.4.~~ Assurances that the child's placement takes into
333 account proximity to the school in which the child is enrolled
334 at the time of placement;

335 ~~6. 5. A record of~~ The child's immunizations;

336 ~~7.6.~~ The child's known medical history, including any
337 known health problems;

Amendment No.

338 ~~8.7.~~ The child's medications, if any; and
339 ~~9.8.~~ Any other relevant health, mental health, and
340 education information concerning the child.

341 (3) In addition to any other requirement, if the child is
342 in an out-of-home placement, the case plan must include:

343 (a) A description of the type of placement in which the
344 child is to be living and, if the child has been placed with the
345 department, whether the department and the community-based care
346 lead agency have reasonably engaged in family finding to locate
347 an adult relative, legal custodian, or other adult willing to
348 care for the child in order to present that placement option to
349 the court instead of placement with the department.

350 Section 8. Section 39.604, Florida Statutes, is amended to
351 read:

352 39.604 Rilya Wilson Act; short title; legislative intent;
353 child care; early education; preschool requirements; attendance
354 and reporting responsibilities.-

355 (1) SHORT TITLE.-This section may be cited as the "Rilya
356 Wilson Act."

357 (2) LEGISLATIVE INTENT.-

358 The Legislature recognizes that children who are in the
359 care of the state due to abuse, neglect, or abandonment are at
360 increased risk of poor school performance and other behavioral
361 and social problems. It is the intent of the Legislature that
362 children who are currently in the care of the state be provided

Amendment No.

363 with an age-appropriate education program to help ameliorate the
364 negative consequences of abuse, neglect, or abandonment.

365 (3) REQUIREMENTS.—

366 (a) A child from birth to the age of school entry, who is
367 under court-ordered protective supervision or in out-of-home
368 care and is the custody of the Family Safety Program Office of
369 the Department of Children and Families or a community-based
370 lead agency, and enrolled in an a licensed early education or
371 child care program must attend the program 5 days a week unless
372 the court grants an exception due to the court determining it is
373 in the best interest of a child from birth to age 3 years:

374 1. With a stay-at-home caregiver to remain at home.

375 2. With a caregiver who works less than full time to
376 attend an early education or child care program fewer than 5
377 days a week.

378 (b) Notwithstanding s. 39.202, the department ~~of Children~~
379 ~~and Families~~ must notify operators of an ~~the licensed~~ early
380 education or child care program, subject to the reporting
381 requirements of this act, of the enrollment of any child from
382 birth to the age of school entry, under court-ordered protective
383 supervision or in out-of-home care. If the custody of the Family
384 Safety Program Office of the Department of Children and Families
385 or a community-based lead agency. When a child is enrolled in an
386 early education or child care program ~~regulated by the~~
387 ~~department,~~ the child's attendance in the program must be a

Amendment No.

388 required task action in the safety plan or the case plan
389 developed for the child pursuant to this chapter. ~~An exemption~~
390 ~~to participating in the licensed early education or child care~~
391 ~~program 5 days a week may be granted by the court.~~

392 (4) Attendance ~~ATTENDANCE AND REPORTING REQUIREMENTS.~~—

393 (a) A child enrolled in an ~~a licensed~~ early education or
394 child care program who meets the requirements of subsection (3)
395 may not be withdrawn from the program without the prior written
396 approval of the department ~~Family Safety Program Office of the~~
397 ~~Department of Children and Families~~ or the community-based care
398 lead agency.

399 (b)1. If a child covered by this section is absent from
400 the program on a day when he or she is supposed to be present,
401 the person with whom the child resides must report the absence
402 to the program by the end of the business day. If the person
403 with whom the child resides, whether the parent or caregiver,
404 fails to timely report the absence, the absence is considered to
405 be unexcused. The program shall report any unexcused absence or
406 seven consecutive excused absences of a child who is enrolled in
407 the program and covered by this act to the ~~local designated~~
408 ~~staff of the Family Safety Program Office of the department of~~
409 ~~Children and Families~~ or the community-based care lead agency by
410 the end of the business day following the unexcused absence or
411 seventh consecutive excused absence.

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

412 2. The department or community-based care lead agency
413 shall conduct a site visit to the residence of the child upon
414 receiving a report of two consecutive unexcused absences or
415 seven consecutive excused absences.

416 3. If the site visit results in a determination that the
417 child is missing, the department or community-based care lead
418 agency shall follow the procedure set forth in s. 39.0141 ~~report~~
419 ~~the child as missing to a law enforcement agency and proceed~~
420 ~~with the necessary actions to locate the child pursuant to~~
421 ~~procedures for locating missing children.~~

422 4. If the site visit results in a determination that the
423 child is not missing, the parent or caregiver shall be notified
424 that failure to ensure that the child attends the ~~licensed~~ early
425 education or child care program is a violation of the safety
426 plan or the case plan. If more than two site visits are
427 conducted pursuant to this paragraph ~~subsection~~, staff shall
428 ~~initiate action to~~ notify the court of the parent or caregiver's
429 noncompliance with the case plan.

430 (5) EDUCATIONAL STABILITY.—Just as educational stability
431 is important for school-age children, it is also important to
432 minimize disruptions to secure attachments and stable
433 relationships with supportive caregivers of children from birth
434 to school age and to ensure that these attachments are not
435 disrupted due to placement in out-of-home care or subsequent
436 changes in out-of-home placement.

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

437 (a) A child must be allowed to remain in the child care or
438 early educational setting that he or she attended before entry
439 into out-of-home care, unless the program is not in the best
440 interest of the child.

441 (b) If it is not in the best interest of the child for him
442 or her to remain in his or her child care or early education
443 setting upon entry into out-of-home care, the caregiver must
444 work with the case manager, guardian ad litem, child care and
445 educational staff, and educational surrogate, if one has been
446 appointed, to determine the best setting for the child. Such
447 setting may be a child care provider that receives a Gold Seal
448 Quality Care designation pursuant to s. 402.281, a provider
449 participating in a quality rating system, a licensed child care
450 provider, a public school provider, or a license-exempt child
451 care provider, including religious-exempt and registered
452 providers, and non-public schools.

453 (c) The department and providers of early care and
454 education shall develop protocols to ensure continuity if
455 children are required to leave a program because of a change in
456 out-of-home placement.

457 (6) TRANSITIONS.—In the absence of an emergency, if a
458 child from birth to school age leaves a child care or early
459 education program, the transition must be pursuant to a plan
460 that involves cooperation and sharing of information among all
461 persons involved, that respects the child's developmental stage

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

462 and associated psychological needs, and that allows for a
463 gradual transition from one setting to another.

464 Section 9. Paragraph (c) of subsection (2) of section
465 39.701, Florida Statutes, is amended to read:

466 39.701 Judicial review.—

467 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
468 AGE.—

469 (c) *Review determinations.*—The court and any citizen
470 review panel shall take into consideration the information
471 contained in the social services study and investigation and all
472 medical, psychological, and educational records that support the
473 terms of the case plan; testimony by the social services agency,
474 the parent, the foster parent or legal custodian, the guardian
475 ad litem or surrogate parent for educational decisionmaking if
476 one has been appointed for the child, and any other person
477 deemed appropriate; and any relevant and material evidence
478 submitted to the court, including written and oral reports to
479 the extent of their probative value. These reports and evidence
480 may be received by the court in its effort to determine the
481 action to be taken with regard to the child and may be relied
482 upon to the extent of their probative value, even though not
483 competent in an adjudicatory hearing. In its deliberations, the
484 court and any citizen review panel shall seek to determine:

Amendment No.

485 1. If the parent was advised of the right to receive
486 assistance from any person or social service agency in the
487 preparation of the case plan.

488 2. If the parent has been advised of the right to have
489 counsel present at the judicial review or citizen review
490 hearings. If not so advised, the court or citizen review panel
491 shall advise the parent of such right.

492 3. If a guardian ad litem needs to be appointed for the
493 child in a case in which a guardian ad litem has not previously
494 been appointed or if there is a need to continue a guardian ad
495 litem in a case in which a guardian ad litem has been appointed.

496 4. Who holds the rights to make educational decisions for
497 the child. If appropriate, the court may refer the child to the
498 district school superintendent for appointment of a surrogate
499 parent or may itself appoint a surrogate parent under the
500 Individuals with Disabilities Education Act and s. 39.0016.

501 5. The compliance or lack of compliance of all parties
502 with applicable items of the case plan, including the parents'
503 compliance with child support orders.

504 6. The compliance or lack of compliance with a visitation
505 contract between the parent and the social service agency for
506 contact with the child, including the frequency, duration, and
507 results of the parent-child visitation and the reason for any
508 noncompliance.

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

509 7. The frequency, kind, and duration of contacts among
510 siblings who have been separated during placement, as well as
511 any efforts undertaken to reunite separated siblings if doing so
512 is in the best interest of the child.

513 8. The compliance or lack of compliance of the parent in
514 meeting specified financial obligations pertaining to the care
515 of the child, including the reason for failure to comply, if
516 applicable.

517 9. Whether the child is receiving safe and proper care
518 according to s. 39.6012, including, but not limited to, the
519 appropriateness of the child's current placement, including
520 whether the child is in a setting that is as family-like and as
521 close to the parent's home as possible, consistent with the
522 child's best interests and special needs, and including
523 maintaining stability in the child's educational placement, as
524 documented by assurances from the community-based care provider
525 that:

526 a. The placement of the child takes into account the
527 appropriateness of the current educational setting and the
528 proximity to the school in which the child is enrolled at the
529 time of placement.

530 b. The community-based care agency has coordinated with
531 appropriate local educational agencies to ensure that the child
532 remains in the school in which the child is enrolled at the time
533 of placement.

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

534 10. Whether the department or community-based care lead
535 agency continues to reasonably engage in family finding. The
536 level of reasonableness is determined by the length of the case
537 and amount of time the department or community-based care lead
538 agency has had to continue the process.

539 11. ~~10.~~ A projected date likely for the child's return
540 home or other permanent placement.

541 12. ~~11.~~ When appropriate, the basis for the unwillingness
542 or inability of the parent to become a party to a case plan. The
543 court and the citizen review panel shall determine if the
544 efforts of the social service agency to secure party
545 participation in a case plan were sufficient.

546 13. ~~12.~~ For a child who has reached 13 years of age but is
547 not yet 18 years of age, the adequacy of the child's preparation
548 for adulthood and independent living. For a child who is 15
549 years of age or older, the court shall determine if appropriate
550 steps are being taken for the child to obtain a driver license
551 or learner's driver license.

552 14. ~~13.~~ If amendments to the case plan are required.
553 Amendments to the case plan must be made as provided in ~~under~~ s.
554 39.6013.

555 Section 10. Except as otherwise expressly provided in this
556 act, this act shall take effect July 1, 2018.

Amendment No.

559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:
An act relating to child welfare; creating s. 39.4015, F.S.;
providing legislative findings and intent; defining terms;
requiring the Department of Children and Families, in
collaboration with sheriffs' offices that conduct child
protective investigations and community-based care lead
agencies, to develop a statewide family-finding program;
requiring the implementation of family finding by a specified
date; requiring the department and community-based care lead
agencies to document strategies taken to engage relatives and
kin; providing strategies to engage relatives and kin; requiring
the department and community-based care lead agencies to use
diligent efforts in family finding; providing that certain
actions do not constitute family finding; requiring
determinations by the court; requiring the department to adopt
rules; amending s. 39.402, F.S.; requiring the court to request
that parents consent to providing access to additional records;
requiring a judge to appoint a surrogate parent for certain
children; requiring the court to place on the record its
determinations regarding the department's or the community-based
lead agency's reasonable engagement in family finding; providing
guidelines for determining reasonableness; amending ss. 39.506;
requiring the court to make a determination regarding the

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

Amendment No.

584 department's or the community-based lead agency's reasonable
585 engagement in family finding; providing guidelines for
586 determining reasonableness; amending s. 39.507 F.S.; requiring
587 the court to make a determination regarding the department's or
588 the community-based lead agency's reasonable engagement in
589 family finding; providing guidelines for determining
590 reasonableness; requiring the court to advise parents that their
591 parental rights may be terminated and the child's out-of-home
592 placement may become permanent under certain circumstances;
593 creating s. 39.5086, F.S.; providing the purpose of a kinship
594 navigator program; requiring each community-based care lead
595 agency to establish a kinship navigator program by a certain
596 date; providing requirements for programs; requiring the
597 department to adopt rules; amending s. 39.521, F.S.; requiring
598 the court to make a determination regarding the department's or
599 the community-based lead agency's reasonable engagement in
600 family finding; providing guidelines for determining
601 reasonableness; conforming provisions to changes made by the
602 act; amending s. 39.6012, F.S.; revising the types of records
603 that must be attached to a case plan and updated throughout the
604 judicial review process; requiring that documentation of the
605 family-finding efforts of the department and the community-based
606 care lead agency be included in certain case plans; amending s.
607 39.604, F.S.; revising legislative findings and intent; revising
608 enrollment and attendance requirements for children in an early

409647 - h1435-strike all.docx

Published On: 1/29/2018 8:07:25 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1435 (2018)

Amendment No.

609 education or child care program; conforming cross-references;
610 providing requirements and procedures for maintaining the
611 educational stability of a child during the child's placement in
612 out-of-home care, or subsequent changes in out-of-home
613 placement; requiring that a child's transition from a child care
614 or early education program be pursuant to a plan that meets
615 certain requirements; amending s. 39.701, F.S.; requiring the
616 court to determine if the department and community-based lead
617 agency has continued to reasonably engaged in family finding;
618 providing guidelines for determining the level of
619 reasonableness; providing effective dates.