

1                   A bill to be entitled  
2           An act relating to proceedings related to children;  
3           amending s. 39.001, F.S.; revising purposes of the  
4           chapter; requiring specified information on court  
5           orders by certain parties; requiring parents to take  
6           action to comply with the case plan within a specified  
7           time; amending s. 39.0136, F.S.; requiring that the  
8           timely performance of responsibilities is achieved by  
9           all parties and the court; requiring the Department of  
10          Children and Families to ensure that parents have the  
11          necessary information to contact the designated case  
12          manager; requiring a new case manager to timely notify  
13          and provide parents with updated contact information;  
14          providing that motions by the court count towards the  
15          time allowed for continuances or time extensions;  
16          amending s. 39.402, F.S.; providing that certain  
17          notice requirements to parents and legal custodians be  
18          in plain language; providing requirements for such  
19          notice; amending s. 39.507, F.S.; requiring parents to  
20          provide certain information about relatives who might  
21          be considered for out-of-home care; requiring the  
22          court to advise parents in plain language of certain  
23          responsibilities; conforming a cross-reference;  
24          amending s. 39.521, F.S.; requiring the department to  
25          serve copies of the case plan and family functioning

26 | assessment on the parents or legal guardians and  
27 | provide copies to all other parties; amending s.  
28 | 39.522, F.S.; requiring that a motion to change  
29 | placement of a child be made before a child achieves  
30 | permanency placement; amending s. 39.6011, F.S.;  
31 | providing requirements for a child's case plan;  
32 | requiring the department to provide certain  
33 | information to the parents before signing the case  
34 | plan; providing a timeframe for the completion of  
35 | referrals for services; amending s. 39.6012, F.S.;  
36 | requiring the case plan to describe strategies to  
37 | overcome barriers to case plan compliance; amending s.  
38 | 39.6013, F.S.; conforming a cross-reference; amending  
39 | s. 39.621, F.S.; requiring permanency status hearings  
40 | every 60 days under certain circumstances; requiring  
41 | the case plan to list tasks for finalization of  
42 | permanency unless the child achieves permanency within  
43 | 60 days after the hearing; amending s. 39.806, F.S.;  
44 | providing that a parent's actions or inactions can  
45 | breach the case plan; amending s. 39.811, F.S.;  
46 | providing a timeframe for when a written order of  
47 | disposition terminating parental rights must be  
48 | entered; providing an effective date.

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50 | Be It Enacted by the Legislature of the State of Florida:

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Section 1. Paragraph (d) of subsection (6) and subsection (7) of section 39.001, Florida Statutes, are amended, and paragraph (q) is added to subsection (1) and paragraph (j) is added to subsection (3) of that section, to read:

39.001 Purposes and intent; personnel standards and screening.—

(1) PURPOSES OF CHAPTER.—The purposes of this chapter are:

(q) To recognize the responsibility of:

1. The parent from whose custody a child has been taken to take action to comply with the case plan so permanency for the child may occur within the shortest period of time possible, but not more than 1 year after removal or adjudication of the child.

2. The department and its community-based care providers to make reasonable efforts to finalize a family's permanency plan, including assisting the parent with developing strategies to overcome barriers to case plan compliance.

3. The court to affirmatively determine what the barriers are to timely permanency, and address such barriers as frequently as needed to ensure compliance with the time limitations established in this chapter.

(3) GENERAL PROTECTIONS FOR CHILDREN.—It is a purpose of the Legislature that the children of this state be provided with the following protections:

(j) The ability of each child to contact his or her

76 | guardian ad litem or attorney ad litem, if appointed, by having  
77 | that individual's name and contact information entered on all  
78 | orders of the court.

79 | (6) MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES.—

80 | (d) It is the intent of the Legislature to encourage the  
81 | use of the mental health court program model established under  
82 | s. 394.47892 ~~chapter 394~~ and the drug court program model  
83 | established under s. 397.334 and authorize courts to assess  
84 | children and persons who have custody or are requesting custody  
85 | of children where good cause is shown to identify and address  
86 | mental illnesses and substance abuse disorders as the court  
87 | deems appropriate at every stage of the dependency process.  
88 | Participation in treatment, including a mental health court  
89 | program or a treatment-based drug court program, may be required  
90 | by the court following adjudication. Participation in assessment  
91 | and treatment before adjudication is voluntary, except as  
92 | provided in s. 39.407(16).

93 | (7) PARENTAL, CUSTODIAL, AND GUARDIAN RESPONSIBILITIES.—

94 | Parents, custodians, and guardians are deemed by the state to be  
95 | responsible for providing their children with sufficient  
96 | support, guidance, and supervision. The state further recognizes  
97 | that the ability of parents, custodians, and guardians to  
98 | fulfill those responsibilities can be greatly impaired by  
99 | economic, social, behavioral, emotional, and related problems.  
100 | It is therefore the policy of the Legislature that it is the

101 state's responsibility to ensure that factors impeding the  
102 ability of caregivers to fulfill their responsibilities are  
103 identified through the dependency process and that appropriate  
104 recommendations and services to address those problems are  
105 considered in any judicial or nonjudicial proceeding. The  
106 Legislature also recognizes that time is of the essence for  
107 establishing permanency for a child in the dependency system.  
108 Therefore, parents must take action to comply with the case  
109 plan, including notifying the parties and the court of barriers  
110 to case plan compliance, so permanency for the child may occur  
111 within the shortest period of time possible, but not more than 1  
112 year after removal or adjudication of the child.

113 Section 2. Subsections (2), (3), and (4) of section  
114 39.0136, Florida Statutes, are amended and renumbered as  
115 subsections (3), (4), and (5), respectively, and a new  
116 subsection (2) is added to that section, to read:

117 39.0136 Time limitations; continuances.—

118 (2) (a) All parties and the court must work together to  
119 ensure that permanency is achieved as soon as possible for every  
120 child through timely performance of their responsibilities under  
121 this chapter.

122 (b) The department shall ensure that the parent has the  
123 information necessary to contact his or her case manager. When a  
124 new case manager is assigned to a case, the case manager shall  
125 make a timely and diligent effort to notify the parent and

126 | provide updated contact information.

127 |       ~~(3)~~<sup>(2)</sup> The time limitations in this chapter do not  
128 | include:

129 |           (a) Periods of delay resulting from a continuance granted  
130 | at the request of the child's counsel or the child's guardian ad  
131 | litem or, if the child is of sufficient capacity to express  
132 | reasonable consent, at the request or with the consent of the  
133 | child. The court must consider the best interests of the child  
134 | when determining periods of delay under this section.

135 |           (b) Periods of delay resulting from a continuance granted  
136 | at the request of any party if the continuance is granted:

137 |               1. Because of an unavailability of evidence that is  
138 | material to the case if the requesting party has exercised due  
139 | diligence to obtain evidence and there are substantial grounds  
140 | to believe that the evidence will be available within 30 days.  
141 | However, if the requesting party is not prepared to proceed  
142 | within 30 days, any other party may move for issuance of an  
143 | order to show cause or the court on its own motion may impose  
144 | appropriate sanctions, which may include dismissal of the  
145 | petition.

146 |               2. To allow the requesting party additional time to  
147 | prepare the case and additional time is justified because of an  
148 | exceptional circumstance.

149 |           (c) Reasonable periods of delay necessary to accomplish  
150 | notice of the hearing to the child's parent or legal custodian;

151 however, the petitioner shall continue regular efforts to  
152 provide notice to the parents during the periods of delay.

153 ~~(4)-(3)~~ Notwithstanding subsection (3) ~~(2)~~, in order to  
154 expedite permanency for a child, the total time allowed for  
155 continuances or extensions of time, including continuances or  
156 extensions by the court on its own motion, may not exceed 60  
157 days within any 12-month period for proceedings conducted under  
158 this chapter. A continuance or extension of time may be granted  
159 only for extraordinary circumstances in which it is necessary to  
160 preserve the constitutional rights of a party or if substantial  
161 evidence exists to demonstrate that without granting a  
162 continuance or extension of time the child's best interests will  
163 be harmed.

164 ~~(5)-(4)~~ Notwithstanding subsection (3) ~~(2)~~, a continuance  
165 or an extension of time is limited to the number of days  
166 absolutely necessary to complete a necessary task in order to  
167 preserve the rights of a party or the best interests of a child.

168 Section 3. Paragraph (f) of subsection (8) and subsections  
169 (14), (15), and (18) of section 39.402, Florida Statutes, are  
170 amended to read:

171 39.402 Placement in a shelter.—

172 (8)

173 (f) At the shelter hearing, the department shall inform  
174 the court of:

175 1. Any identified current or previous case plans

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176 negotiated ~~in any district~~ with the parents or caregivers under  
177 this chapter and problems associated with compliance;

178 2. Any adjudication of the parents or caregivers of  
179 delinquency;

180 3. Any past or current injunction for protection from  
181 domestic violence; and

182 4. All of the child's places of residence during the prior  
183 12 months.

184 (14) (a) The time limitations in this section do not  
185 include:

186 1.~~(a)~~ Periods of delay resulting from a continuance  
187 granted at the request or with the consent of the child's  
188 counsel or the child's guardian ad litem, if one has been  
189 appointed by the court, or, if the child is of sufficient  
190 capacity to express reasonable consent, at the request or with  
191 the consent of the child's attorney or the child's guardian ad  
192 litem, if one has been appointed by the court, and the child.

193 2.~~(b)~~ Periods of delay resulting from a continuance  
194 granted at the request of any party, if the continuance is  
195 granted:

196 a.~~1.~~ Because of an unavailability of evidence material to  
197 the case when the requesting party has exercised due diligence  
198 to obtain such evidence and there are substantial grounds to  
199 believe that such evidence will be available within 30 days.  
200 However, if the requesting party is not prepared to proceed



201 within 30 days, any other party, inclusive of the parent or  
202 legal custodian, may move for issuance of an order to show cause  
203 or the court on its own motion may impose appropriate sanctions,  
204 which may include dismissal of the petition.

205 b.2. To allow the requesting party additional time to  
206 prepare the case and additional time is justified because of an  
207 exceptional circumstance.

208 3.(e) Reasonable periods of delay necessary to accomplish  
209 notice of the hearing to the child's parents or legal  
210 custodians; however, the petitioner shall continue regular  
211 efforts to provide notice to the parents or legal custodians  
212 during such periods of delay.

213 4.(d) Reasonable periods of delay resulting from a  
214 continuance granted at the request of the parent or legal  
215 custodian of a subject child.

216 (b)(e) Notwithstanding paragraph (a), ~~the foregoing,~~  
217 continuances and extensions of time are limited to the number of  
218 days absolutely necessary to complete a necessary task in order  
219 to preserve the rights of a party or the best interests of a  
220 child. Time is of the essence for the best interests of  
221 dependent children in conducting dependency proceedings in  
222 accordance with the time limitations set forth in this chapter.  
223 Time limitations are a right of the child which may not be  
224 waived, extended, or continued at the request of any party in  
225 advance of the particular circumstances or need arising upon

226 | which delay of the proceedings may be warranted.

227 |        ~~(c)(f)~~ Continuances or extensions of time may not total  
228 | more than 60 days for all parties, including the court on its  
229 | own motion, within any 12-month period during proceedings under  
230 | this chapter. A continuance or extension beyond the 60 days may  
231 | be granted only for extraordinary circumstances necessary to  
232 | preserve the constitutional rights of a party or when  
233 | substantial evidence demonstrates that the child's best  
234 | interests will be affirmatively harmed without the granting of a  
235 | continuance or extension of time.

236 |        (15) The department, at the conclusion of the shelter  
237 | hearing, shall make available to parents or legal custodians  
238 | seeking voluntary services, any referral information necessary  
239 | for participation in such identified services to allow the  
240 | parents or legal custodians to begin the services as soon as  
241 | possible. The parents' or legal custodians' participation in the  
242 | services shall not be considered an admission or other  
243 | acknowledgment of the allegations in the shelter petition.

244 |        (18) The court shall advise the parents or legal  
245 | custodians in plain language all of the following:

246 |        (a) Parents or legal custodians must take action to comply  
247 | with the case plan so permanency for the child may occur within  
248 | the shortest period of time possible, but not more than 1 year  
249 | after removal or adjudication of the child.

250 |        (b) Parents or legal custodians must stay in contact with

251 their attorney and their case manager, and provide updated  
252 contact information if the phone number, address, or e-mail  
253 address of the parent or legal custodian changes.

254 (c) Parents or legal custodians must notify the parties  
255 and the court of any barriers to completing case plan tasks  
256 within a reasonable time after discovering such barriers. ~~that,~~

257 (d) If the parents or legal custodians fail to  
258 substantially comply with the case plan, their parental rights  
259 may be terminated and that the child's out-of-home placement may  
260 become permanent.

261 Section 4. Paragraph (c) of subsection (7) and subsection  
262 (10) of section 39.507, Florida Statutes, are amended to read:

263 39.507 Adjudicatory hearings; orders of adjudication.—

264 (7)

265 (c) If a court adjudicates a child dependent and the child  
266 is in out-of-home care, the court shall inquire of the parent ~~or~~  
267 ~~parents~~ whether the parent has ~~parents have~~ relatives who might  
268 be considered as a placement for the child. The parent shall  
269 provide the court and all parties with identification and  
270 location information for such relatives. The court shall advise  
271 the parents of their continuing duty to inform the department of  
272 any relative who should be considered for placement of the  
273 child. The court shall advise the parent ~~parents~~ in plain  
274 language that:

275 1. Parents must take action to comply with the case plan

276 so permanency for the child may occur within the shortest period  
277 of time possible, but not more than 1 year after removal or  
278 adjudication of the child.

279 2. Parents must stay in contact with their attorney and  
280 their case manager, and provide updated contact information if  
281 the phone number, address, or e-mail address of the parent  
282 changes.

283 3. Parents must notify the parties and the court of any  
284 barriers to completing case plan tasks within a reasonable time  
285 after discovering such barriers.

286 4. If the parents fail to substantially comply with the  
287 case plan, their parental rights may be terminated and that the  
288 child's out-of-home placement may become permanent. ~~The parent~~  
289 ~~or parents shall provide to the court and all parties~~  
290 ~~identification and location information of the relatives.~~

291 (10) After an adjudication of dependency, or a finding of  
292 dependency in which adjudication is withheld, the court may  
293 order a person who has custody or is requesting custody of the  
294 child to submit to a mental health or substance abuse disorder  
295 assessment or evaluation. The order may be made only upon good  
296 cause shown and pursuant to notice and procedural requirements  
297 provided under the Florida Rules of Juvenile Procedure. The  
298 assessment or evaluation must be administered by an appropriate  
299 qualified professional, as defined in s. 39.01 or s. 397.311.  
300 The court may also require such person to participate in and

301 | comply with treatment and services identified as necessary,  
 302 | including, when appropriate and available, participation in and  
 303 | compliance with a mental health court program established under  
 304 | s. 394.47892 ~~chapter 394~~ or a treatment-based drug court program  
 305 | established under s. 397.334. In addition to supervision by the  
 306 | department, the court, including the mental health court program  
 307 | or treatment-based drug court program, may oversee the progress  
 308 | and compliance with treatment by a person who has custody or is  
 309 | requesting custody of the child. The court may impose  
 310 | appropriate available sanctions for noncompliance upon a person  
 311 | who has custody or is requesting custody of the child or make a  
 312 | finding of noncompliance for consideration in determining  
 313 | whether an alternative placement of the child is in the child's  
 314 | best interests. Any order entered under this subsection may be  
 315 | made only upon good cause shown. This subsection does not  
 316 | authorize placement of a child with a person seeking custody,  
 317 | other than the parent or legal custodian, who requires mental  
 318 | health or substance abuse disorder treatment.

319 | Section 5. Paragraph (a) of subsection (1) of section  
 320 | 39.521, Florida Statutes, is amended to read:

321 | 39.521 Disposition hearings; powers of disposition.—

322 | (1) A disposition hearing shall be conducted by the court,  
 323 | if the court finds that the facts alleged in the petition for  
 324 | dependency were proven in the adjudicatory hearing, or if the  
 325 | parents or legal custodians have consented to the finding of

326 dependency or admitted the allegations in the petition, have  
 327 failed to appear for the arraignment hearing after proper  
 328 notice, or have not been located despite a diligent search  
 329 having been conducted.

330 (a) A written case plan and a family functioning  
 331 assessment prepared by an authorized agent of the department  
 332 must be approved by the court. The department must file the case  
 333 plan and the family functioning assessment with the court, serve  
 334 copies ~~a copy of the case plan~~ on the parents or legal  
 335 custodians of the child, and provide copies ~~a copy of the case~~  
 336 ~~plan to the representative of the guardian ad litem program, if~~  
 337 ~~the program has been appointed, and a copy to all other parties:~~

338 1. Not less than 72 hours before the disposition hearing,  
 339 if the disposition hearing occurs on or after the 60th day after  
 340 the date the child was placed in out-of-home care. All such case  
 341 plans must be approved by the court.

342 2. Not less than 72 hours before the case plan acceptance  
 343 hearing, if the disposition hearing occurs before the 60th day  
 344 after the date the child was placed in out-of-home care and a  
 345 case plan has not been submitted pursuant to this paragraph, or  
 346 if the court does not approve the case plan at the disposition  
 347 hearing. The case plan acceptance hearing must occur within 30  
 348 days after the disposition hearing to review and approve the  
 349 case plan.

350 Section 6. Subsection (1) of section 39.522, Florida

351 Statutes, is amended to read:

352       39.522 Postdisposition change of custody.—The court may  
353 change the temporary legal custody or the conditions of  
354 protective supervision at a postdisposition hearing, without the  
355 necessity of another adjudicatory hearing.

356       (1) At any time before a child achieves the permanency  
357 placement approved at the permanency hearing, a child who has  
358 been placed in the child's own home under the protective  
359 supervision of an authorized agent of the department, in the  
360 home of a relative, in the home of a legal custodian, or in some  
361 other place may be brought before the court by the department or  
362 by any other interested person, upon the filing of a motion  
363 ~~petition~~ alleging a need for a change in the conditions of  
364 protective supervision or the placement. If the parents or other  
365 legal custodians deny the need for a change, the court shall  
366 hear all parties in person or by counsel, or both. Upon the  
367 admission of a need for a change or after such hearing, the  
368 court shall enter an order changing the placement, modifying the  
369 conditions of protective supervision, or continuing the  
370 conditions of protective supervision as ordered. The standard  
371 for changing custody of the child shall be the best interest of  
372 the child. When applying this standard, the court shall consider  
373 the continuity of the child's placement in the same out-of-home  
374 residence as a factor when determining the best interests of the  
375 child. If the child is not placed in foster care, then the new

376 placement for the child must meet the home study criteria and  
 377 court approval pursuant to this chapter.

378 Section 7. Subsections (4) through (8) of section 39.6011,  
 379 Florida Statutes, are renumbered as subsections (5) through (9),  
 380 respectively, and subsections (2) and (3), and present  
 381 subsection (6) of that section are amended, to read:

382 39.6011 Case plan development.—

383 (2) The case plan must be written simply and clearly in  
 384 English and, if English is not the principal language of the  
 385 child's parent, to the extent possible in the parent's principal  
 386 language. Each case plan must contain:

387 (a) A description of the identified problem being  
 388 addressed, including the parent's behavior or acts resulting in  
 389 risk to the child and the reason for the intervention by the  
 390 department.

391 (b) The permanency goal.

392 (c) If concurrent planning is being used, a description of  
 393 the permanency goal of reunification with the parent or legal  
 394 custodian in addition to a description of one of the remaining  
 395 permanency goals described in s. 39.01.

396 1. If a child has not been removed from a parent, but is  
 397 found to be dependent, even if adjudication of dependency is  
 398 withheld, the court may leave the child in the current placement  
 399 with maintaining and strengthening the placement as a permanency  
 400 option.



401           2. If a child has been removed from a parent and is placed  
402 with a parent from whom the child was not removed, the court may  
403 leave the child in the placement with the parent from whom the  
404 child was not removed with maintaining and strengthening the  
405 placement as a permanency option.

406           3. If a child has been removed from a parent and is  
407 subsequently reunified with that parent, the court may leave the  
408 child with that parent with maintaining and strengthening the  
409 placement as a permanency option.

410           (d) The date the compliance period expires. The case plan  
411 must be limited to as short a period as possible for  
412 accomplishing its provisions. The plan's compliance period  
413 expires no later than 12 months after the date the child was  
414 initially removed from the home, the child was adjudicated  
415 dependent, or the date the case plan was accepted by the court,  
416 whichever occurs first.

417           (e) A written notice to the parent that:

418           1. It is the parent's responsibility to take action to  
419 comply with the case plan so permanency for the child may occur  
420 within the shortest period of time possible, but not more than 1  
421 year after removal or adjudication of the child.

422           2. The parent must notify the parties and the court in  
423 writing of barriers to completing case plan tasks within a  
424 reasonable time after discovering such barriers if the parties  
425 are not actively working to overcome them.

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426           3. Failure of the parent to substantially comply with the  
427 case plan may result in the termination of parental rights, ~~and~~  
428 ~~that~~

429           4. A material breach of the case plan by the parent's  
430 action or inaction may result in the filing of a petition for  
431 termination of parental rights sooner than the compliance period  
432 set forth in the case plan.

433           (3) The case plan must be signed by all parties, except  
434 that the signature of a child may be waived if the child is not  
435 of an age or capacity to participate in the case-planning  
436 process. Signing the case plan constitutes an acknowledgment  
437 that the case plan has been developed by the parties and that  
438 they are in agreement as to the terms and conditions contained  
439 in the case plan. The refusal of a parent to sign the case plan  
440 does not prevent the court from accepting the case plan if the  
441 case plan is otherwise acceptable to the court. Signing the case  
442 plan does not constitute an admission to any allegation of  
443 abuse, abandonment, or neglect and does not constitute consent  
444 to a finding of dependency or termination of parental rights.

445           (4) Before signing the case plan, the department shall  
446 explain the provisions of the plan to all persons involved in  
447 its implementation, including, when appropriate, the child. The  
448 department shall ensure that the parent has contact information  
449 for all entities necessary to complete the tasks in the plan.  
450 The department shall explain the strategies included in the plan

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451 that the parent can use to overcome barriers to case plan  
452 compliance and that if a barrier is discovered and the parties  
453 are not actively working to overcome such barrier, the parent  
454 must notify the parties and the court in writing within a  
455 reasonable time after discovering such barrier.

456 (7) ~~(6)~~ After the case plan has been developed, the  
457 department shall adhere to the following procedural  
458 requirements:

459 (a) If the parent's substantial compliance with the case  
460 plan requires the department to provide services to the parent  
461 ~~parents~~ or the child and the parent agrees ~~parents agree~~ to  
462 begin compliance with the case plan before the case plan's  
463 acceptance by the court, the department shall make the  
464 appropriate referrals for services that will allow the parent  
465 ~~parents~~ to begin the agreed-upon tasks and services immediately.

466 (b) All other referrals for services shall be completed as  
467 soon as possible, but not more than 7 days after the date of the  
468 case plan approval, unless the case plan specifies that a task  
469 may not be undertaken until another specified task has been  
470 completed or otherwise approved by the court.

471 (c) ~~(b)~~ After the case plan has been agreed upon and signed  
472 by the parties, a copy of the plan must be given immediately to  
473 the parties, including the child if appropriate, and to other  
474 persons as directed by the court.

475 1. A case plan must be prepared, but need not be submitted

476 to the court, for a child who will be in care no longer than 30  
477 days unless that child is placed in out-of-home care a second  
478 time within a 12-month period.

479 2. In each case in which a child has been placed in out-  
480 of-home care, a case plan must be prepared within 60 days after  
481 the department removes the child from the home and shall be  
482 submitted to the court before the disposition hearing for the  
483 court to review and approve.

484 3. After jurisdiction attaches, all case plans must be  
485 filed with the court, and a copy provided to all the parties  
486 whose whereabouts are known, not less than 3 business days  
487 before the disposition hearing. The department shall file with  
488 the court, and provide copies to the parties, all case plans  
489 prepared before jurisdiction of the court attached.

490 Section 8. Paragraph (b) of subsection (1) of section  
491 39.6012, Florida Statutes, is amended to read:

492 39.6012 Case plan tasks; services.—

493 (1) The services to be provided to the parent and the  
494 tasks that must be completed are subject to the following:

495 (b) The case plan must describe each of the tasks with  
496 which the parent must comply and the services to be provided to  
497 the parent, specifically addressing the identified problem,  
498 including:

499 1. The type of services or treatment.

500 2. The date the department will provide each service or

501 referral for the service if the service is being provided by the  
 502 department or its agent.

503 3. The date by which the parent must complete each task.

504 4. The frequency of services or treatment provided. The  
 505 frequency of the delivery of services or treatment provided  
 506 shall be determined by the professionals providing the services  
 507 or treatment on a case-by-case basis and adjusted according to  
 508 their best professional judgment.

509 5. The location of the delivery of the services.

510 6. The staff of the department or service provider  
 511 accountable for the services or treatment.

512 7. A description of the measurable objectives, including  
 513 the timeframes specified for achieving the objectives of the  
 514 case plan and addressing the identified problem.

515 8. Strategies to overcome barriers to case plan compliance  
 516 and an explanation that the parent must notify the parties and  
 517 the court in writing within a reasonable time of discovering a  
 518 barrier that the parties are not actively working to overcome.

519 Section 9. Subsection (8) of section 39.6013, Florida  
 520 Statutes, is amended to read:

521 39.6013 Case plan amendments.—

522 (8) Amendments must include service interventions that are  
 523 the least intrusive into the life of the parent and child, must  
 524 focus on clearly defined objectives, and must provide the most  
 525 efficient path to quick reunification or permanent placement

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526 given the circumstances of the case and the child's need for  
527 safe and proper care. A copy of the amended plan must be  
528 immediately given to the persons identified in s. 39.6011(7)(c)  
529 ~~s. 39.6011(6)(b)~~.

530 Section 10. Subsections (7) through (12) of section  
531 39.621, Florida Statutes, are renumbered as subsections (8)  
532 through (13), respectively, present subsections (9), (10), and  
533 (11) are amended, and a new subsection (7) is added to that  
534 section, to read:

535 39.621 Permanency determination by the court.—

536 (7) If the court determines that the child's goal of  
537 reunification or adoption is appropriate but the child will be  
538 in out-of-home care for more than 12 months before achieving  
539 permanency, the court shall hold permanency status hearings for  
540 the child every 60 days until the child reaches the specified  
541 permanency goal or the court determines it is in the child's  
542 best interest to change the permanency goal.

543 ~~(10)(9)~~ The case plan must list the tasks necessary to  
544 finalize the permanency placement and shall be updated at the  
545 permanency hearing unless the child will achieve permanency  
546 within 60 days after the hearing ~~if necessary~~. If a concurrent  
547 case plan is in place, the court may choose between the  
548 permanency goal options presented and shall approve the goal  
549 that is in the child's best interest.

550 ~~(11)(10)~~ The permanency placement is intended to continue

551 until the child reaches the age of majority and may not be  
552 disturbed absent a finding by the court that the circumstances  
553 of the permanency placement are no longer in the best interest  
554 of the child.

555 (a) If, after a child has achieved the permanency placement  
556 approved at the permanency hearing, a parent who has not had his  
557 or her parental rights terminated makes a motion for  
558 reunification or increased contact with the child, the court  
559 shall hold a hearing to determine whether the dependency case  
560 should be reopened and whether there should be a modification of  
561 the order.

562 (b) At the hearing, the parent must demonstrate that the  
563 safety, well-being, and physical, mental, and emotional health  
564 of the child is not endangered by the modification.

565 (c) ~~(11)~~ The court shall base its decision concerning any  
566 motion by a parent for reunification or increased contact with a  
567 child on the effect of the decision on the safety, well-being,  
568 and physical, mental, and emotional health of the child. Factors  
569 that must be considered and addressed in the findings of fact of  
570 the order on the motion must include all of the following:

571 1. ~~(a)~~ The compliance or noncompliance of the parent with  
572 the case plan. ~~†~~

573 2. ~~(b)~~ The circumstances which caused the child's  
574 dependency and whether those circumstances have been resolved. ~~†~~

575 3. ~~(c)~~ The stability and longevity of the child's

576 placement.†

577 4.~~(d)~~ The preferences of the child, if the child is of  
578 sufficient age and understanding to express a preference.†

579 5.~~(e)~~ The recommendation of the current custodian.†~~and~~

580 6.~~(f)~~ The recommendation of the guardian ad litem, if one  
581 has been appointed.

582 Section 11. Paragraph (e) of subsection (1) of section  
583 39.806, Florida Statutes, is amended to read:

584 39.806 Grounds for termination of parental rights.—

585 (1) Grounds for the termination of parental rights may be  
586 established under any of the following circumstances:

587 (e) When a child has been adjudicated dependent, a case  
588 plan has been filed with the court, and:

589 1. The child continues to be abused, neglected, or  
590 abandoned by the parent or parents. The failure of the parent or  
591 parents to substantially comply with the case plan for a period  
592 of 12 months after an adjudication of the child as a dependent  
593 child or the child's placement into shelter care, whichever  
594 occurs first, constitutes evidence of continuing abuse, neglect,  
595 or abandonment unless the failure to substantially comply with  
596 the case plan was due to the parent's lack of financial  
597 resources or to the failure of the department to make reasonable  
598 efforts to reunify the parent and child. The 12-month period  
599 begins to run only after the child's placement into shelter care  
600 or the entry of a disposition order placing the custody of the



601 child with the department or a person other than the parent and  
602 the court's approval of a case plan having the goal of  
603 reunification with the parent, whichever occurs first; or

604 2. The parent or parents have materially breached the case  
605 plan by his or her action or inaction. Time is of the essence  
606 for permanency of children in the dependency system. In order to  
607 prove the parent or parents have materially breached the case  
608 plan, the court must find by clear and convincing evidence that  
609 the parent or parents are unlikely or unable to substantially  
610 comply with the case plan before time to comply with the case  
611 plan expires.

612 3. The child has been in care for any 12 of the last 22  
613 months and the parents have not substantially complied with the  
614 case plan so as to permit reunification under s. 39.522(2)  
615 unless the failure to substantially comply with the case plan  
616 was due to the parent's lack of financial resources or to the  
617 failure of the department to make reasonable efforts to reunify  
618 the parent and child.

619 Section 12. Subsection (5) of section 39.811, Florida  
620 Statutes, is amended to read:

621 39.811 Powers of disposition; order of disposition.—

622 (5) If the court terminates parental rights, the court  
623 shall enter a written order of disposition within 30 days after  
624 conclusion of the hearing briefly stating the facts upon which  
625 its decision to terminate the parental rights is made. An order

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626 | of termination of parental rights, whether based on parental  
627 | consent or after notice served as prescribed in this part,  
628 | permanently deprives the parents of any right to the child.  
629 |       Section 13. This act shall take effect October 1, 2019.