

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/CS/SB 1666

SPONSOR: Committees on Judiciary and Children and Families, and Senator Mitchell

SUBJECT: Child Protection

DATE: April 15, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barnes</u>	<u>Whiddon</u>	<u>CF</u>	<u>Favorable/CS</u>
2.	<u>Matthews</u>	<u>Johnson</u>	<u>JU</u>	<u>Favorable/CS</u>
3.	_____	_____	<u>FP</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

Committee Substitute for Committee Substitute for SB 1666 makes technical and necessary changes to chapter 39, F.S., to correct errors and inconsistencies resulting from last year's major reorganization of the chapter during the 1998 session (ch. 98-403, L.O.F.). It clarifies the definitions, roles, obligations and rights of parents, legal custodians and caregivers depending on their involvement in proceedings under chapter 39, F.S. It allows counties to also acquire a lien on court-ordered payment of attorneys' fees and costs in indigent dependency cases. It allows a default consent to dependency adjudication to be entered in the event a person who is ordered to appear at a subsequent adjudication hearing fails to appear. It clarifies time frames for filing dependency petitions, setting arraignment and adjudicatory hearings, and placing children in shelter care or out-of-home care.

This bill amends the following sections of the Florida Statutes: 39.001, 39.0015, 39.01, 39.011, 39.0121, 39.013, 39.0132, 39.0134, 39.201, 39.202, 39.203, 39.206, 39.301, 39.302, 39.3035, 39.304, 39.311, 39.312, 39.313, 39.395, 39.401, 39.402, 39.407, 39.501, 39.502, 39.503, 39.504, 39.506, 39.507, 39.508, 39.5085, 39.509, 39.510, 39.601, 39.602, 39.603, 39.701, 39.702, 39.703, 39.704, 39.801, 39.802, 39.805, 39.806, 39.807, 39.808, 39.811, 39.814, 39.815, 39.822, 63.0427, and 419.001. This bill also creates section 39.0014, F.S.

II. Present Situation:

In 1998, the Florida Legislature substantially rewrote chapter 39, F.S., relating to proceedings for children. *See* chapter 98-403, L.O.F. It incorporated the recommendations of a statewide study conducted by Florida's Dependency Court Improvement Program. The Program was established in 1995 with federal funding from the U.S. Department of Health and Human Services made available to all state courts to study the judicial management of foster care and adoption proceedings involving dependent children. Chapter 98-403, L.O.F., also incorporated the requirements of the federal Adoption and Safe Families Act of 1997 which refocused the paramount concern in decisions at all stages of dependency proceedings to be on the health and

safety of children rather than on family reunification or preservation. Florida became the first state in the nation to enact the provisions of the federal act.

Chapter 98-403, L.O.F., transferred and reorganized relevant sections from chapter 415, F.S., into chapter 39, F.S., to create 11 parts. The 11 parts present the dependency process from intake to case outcome. Chapter 39, F.S., now provides that all foster care children are required to have a permanency planning review hearing within one year from the date of their removal from home and additional grounds for expediting termination of parental rights under certain circumstances are provided. It also provided attorneys for parents who qualify under indigence standards at shelter hearings and for continual representation of those parents through the duration of the case. It also increased penalties for false reporting and created the Relative Caregiver Program.

Subsequent to the rewrite of chapter 39, F.S., some errors and inconsistencies were uncovered are being addressed to some extent in the proposed bill including clarifying the rights, responsibilities and legal obligations of parents, legal custodians and caregivers which vary according to their role and involvement in different proceedings under the chapter.

In addition, the issue of default for purposes of consent to a dependency adjudication under chapter 39, F.S., has presented some concerns. Currently, ss. 39.506(3), F.S., and 39.801(3)(d), F.S., provide that the court may enter a consent (default) when a parent fails to respond to the petition for dependency or appear for the arraignment or advisory hearing. Neither ch. 39, F.S., nor the Rules of Juvenile Procedure address the possible entry of a default when the parent fails to appear for the adjudicatory hearing or violates other pretrial orders of the court. Based on the lack of either statutory or procedural authority to enter a default at any stage other than the arraignment or advisory hearing, the appellate courts have been reversing trial court decisions based on defaults entered at other stages of the case. *In re M.M.*, 708 So.2d 990 (Fla 2d DCA 1998); *In re A.L.* 711 So.2d 600 (Fla 2d DCA 1998); *Nickerson v. Department of Children and Families*, 718 So.2d 373 (Fla. 3rd DCA 1998)

III. Effect of Proposed Changes:

The bill primarily makes a number of technical changes to chapter 39, F.S., by redefining terms and correcting inconsistencies in the role, responsibilities, legal obligations and rights of the various categories of individuals, including parents, legal custodian and caregiver, who care for children. This bill continues the ongoing effort to revise chapter 39, F.S., for an orderly presentation of the dependency process and incorporation of federal mandates that primarily focus on the protection of children rather than family reunification and preservation. Additionally, it makes the following specific changes as to the 11 parts of Chapter 39, F.S.:

Part I, General Provisions (ss. 39.001-0135)

Section 1 amends s. 39.001, F.S. (Supp.1998), to replace the terms “guardian” and “caregiver” with the term “legal custodian.”

Section 2 creates s. 39.0014, F.S., to state that all state, county, and local agencies have a duty to provide cooperation, assistance, and information to the department to enable it to fulfill its responsibilities under ch. 39, F.S.

Section 3 amends s. 39.0015, F.S. (Supp.1998), relating to child abuse training in the school system. It amends subsection (3) to define “child abuse” to be specifically those acts as included in the definitions for “abandoned” (1), “abuse” (2), “harm” (30), “mental abuse,” “neglect” (46), “physical injury” (53), and “sexual abuse” (64) in s. 39.01, F.S. (Supp.1998). This section also amends subsection (4) to clarify that information provided in a primary prevention and training program should include a description of child abuse as including, but not limited to, sexual abuse, physical abuse, abandonment, neglect, and alcohol and drug abuse.

Section 4 amends s. 39.01, F.S. (Supp.1998), to clarify and conform a number of existing definitions as used in ch. 39, F.S. Specifically, it attempts to clarify the usage of the terms “parent,” “legal custodian,” and “caregiver” as used throughout chapter 39, F.S. It creates a new definition for the term “out-of-home” to mean a placement outside the parent’s home which is intended to replace the term “custody.” It also clarifies that when the term “parent or legal custodian” is used in any provision that it refers to rights or responsibilities of the parent and only if there is no living parent, then the legal custodian stands in the stead of the parent.

Section 5 amends s. 39.011, F.S. (Supp.1998), relating to immunity from liability, to provide a technical and conforming change by replacing the reference “foster or shelter care matter” with “dependency matter.”

Section 6 amends s. 39.0121, F.S. (Supp.1998), to provide a technical change to the Department of Children and Family Services’ rulemaking authority over services requested from the Child Protection Teams.

Section 7 amends s. 39.013, F.S. (Supp.1998), relating to procedures and jurisdiction of dependency matters and right of counsel. It provides technical and conforming changes to clarify that the provisions relating to right to counsel apply only to a parent as defined under this chapter and that the provisions relating to time limitations apply equally to the petitioner.

Section 8 amends s. 39.0132, F.S. (Supp.1998), to provide technical and conforming changes. The section reduces the time period from 10 to 7 years that the court preserves records relating to a dependent child brought before the court pursuant to ch. 39, F.S. It also adds that orders terminating parental rights may be admissible in evidence in subsequent proceedings to terminate the parental rights to a sibling. This conforms with s. 39.806(1)(I), F.S. (Supp. 1998) which relates to the grounds for which termination of parental rights may be entered.

Section 9 amends s. 39.0134, F.S. (Supp.1998), to provide that a county may acquire and enforce a lien upon court-ordered payment of attorney’s fees and costs for court-appointed counsel, in accordance with the procedure in s. 984.08, F.S., relating to recovery of attorney’s fees in indigency cases for children and families in need of services.

Part II, Reporting Child Abuse (ss. 39.201-39.206)

Section 10 amends s. 39.201, F.S. (Supp.1998), relating to mandatory reports of child abuse, to provide technical and conforming changes.

Section 11 amends s. 39.202, F.S. (Supp.1998), relating to confidentiality of report and records in child abuse cases. It provides technical and conforming changes. It adds that reports of child abandonment are confidential just as reports of child neglect or abuse. The section provides that only persons authorized by Department of Children and Family Services may use the department's records but only for research, statistical or audit purposes. Additionally, that individual or entity must execute a privacy and security agreement.

Section 12 amends s. 39.203, F.S. (Supp.1998), to provide a technical and conforming change by clarifying that any person acting in good faith or reporting to either the department or law enforcement regarding child abuse, abandonment or neglect is immune from civil and criminal liability.

Section 13 amends s. 39.206, F.S. (Supp.1998), relating to administrative fines, to provide technical and conforming changes by clarifying that this section applies in the context of an administrative hearing before an administrative hearing officer.

Part III, Protective Investigations (ss. 39.301-39.307)

Section 14 amends s. 39.301, F.S. (Supp.1998), relating to initial protective investigations and reports, to provide technical and conforming changes. It revises the provision relating to the filing of a dependency petition to require the department to file one if it is determined that the child is in need of the protection and supervision of the court, rather than if such action is in the best interest of the child. It clarifies that the person or agency originating the report may petition for dependency. It conforms time frames with those in s. 39.302, F.S. (Supp.1998)

Section 15 amends s. 39.302, F.S. (Supp.1998), relating to protective investigations of institutional child abuse, abandonment, or neglect, to provide technical and conforming changes.

Section 16 amends s. 39.3035, F.S. (Supp.1998), to clarify that a child advocacy center may *either* be a child protection team or have a child protection team as a component of the center.

Section 17 amends s. 39.304, F.S. (Supp.1998), relating to examinations by certain health professionals, to provide technical and conforming changes.

Part IV, Family Builders Program (ss. 39.311-39.318)

Sections 18, 19, and 20 amend s. 39.311, F.S. (Supp.1998), s. 39.312, F.S. (Supp.1998), and s. 39.313, F.S. (Supp.1998), respectively, to provide technical changes and to clarify the intent of the federal Adoption and Safe Families Act.

Part V, Taking Children into Custody and Shelter Hearings (ss. 39.395-39.4075)

Section 21 amends s. 39.395, F.S. (Supp.1998), relating to the detainment of a child by medical or hospital personnel, to provide a technical and conforming change.

Section 22 amends s. 39.401, F.S. (Supp.1998), relating to a dependent child taken into custody by law enforcement and department agents. It provides technical and conforming changes by

removing reference to reasonable grounds such that custody may occur solely if there is probable cause to support a finding of the enumerated criteria. It also clarifies that it is the shelter petition, and not the petition hearing, which is filed and can only be filed if the child has not yet been returned to custody of the parent or legal custodian.

Section 23 amends s. 39.402, F.S. (Supp.1998), relating to placement in a shelter. It provides technical and conforming changes by replacing “reasonable grounds” for the basis to place a child in a shelter with “probable cause to believe.” It also adds new language as follows:

- ▶ it clarifies that parents have a right to a continuance at the shelter hearing in order to obtain counsel, and that the child shall remain in the shelter during the period of continuance granted.
- ▶ it requires parents to provide financial information to the Department of Children and Family Services within 28 days of the shelter hearing order placing a child in a shelter for purposes of calculating child support pursuant to s. 61.30, F.S.
- ▶ it adds that if the parent or legal custodian is alleged to have committed any of the acts listed as grounds for expedited termination of parental rights under s.39.806(1)(f)-(i), then it is deemed that the Department has made a reasonable effort to prevent or eliminate the need for removal of a child for purposes of the court findings required in an order for placement of a child in shelter care.

Section 24 amends s. 39.407, F.S. (Supp.1998), relating to examination and treatment of a child, to provide technical and conforming changes by replacing certain terms with new terminology such as “out-of-home placement.”

Part VI, Petition, Arraignment, Adjudication and Disposition (ss. 39.501-39.510)

Section 25 amends s. 39.501, F.S. (Supp.1998), relating to petitions for dependency, to provide technical and conforming changes.

Section 26 amends s. 39.502, F.S. (Supp.1998), relating to notice, process, and service, to provide technical and conforming changes. It expands the time period from 24 hours to 72 hours, as measured from the service of a summons, within which a person is required to appear for a hearing. It also allows a guardian ad litem to serve a subpoena, as is already allowed to be served by agents of the department.

Section 27 amends s. 39.503, F.S. (Supp.1998), relating to the unknown identity and location of a parent, to provide technical and conforming changes.

Section 28 amends s. 39.504, F.S. (Supp.1998), relating to injunctions pending disposition of a dependency hearing, to remove obsolete language used when the Department of Juvenile Justice had oversight over these dependency matters.

Section 29 amends s. 39.506, F.S. (Supp.1998), relating to arraignment hearings, to provide technical and conforming changes. It adds that an arraignment hearing must be held either *no*

later than 28 days after the shelter hearing or within 7 days after the filing of the dependency petition if a demand for early filing was made. In those cases in which a child is in shelter care and the parent or legal custodian admit or consents to the findings in the dependency petition, the court may set a 15-day period, as measured from the arraignment hearing, within which to hold a disposition hearing. The same 15-day period is provided for those cases in which a child is in the custody of a parent or legal custodian when the parent or legal custodian admits or consents to a dependency adjudication.

Specifically, subsection (3) is revised to allow the court to enter a consent for a dependency adjudication if the person subsequently fails to appear at an adjudicatory hearing after having been ordered by the court when he or she appeared at the earlier arraignment hearing. This revision is based on the Dependency Court Improvement Committee's recommendation to clarify that it is unnecessary to move forward with an adjudicatory hearing when a parent fails to appear.

Subsection (8) is also revised to provide for 15-day review cycles, as measured initially from the date of the arraignment hearing, of a child's placement in the shelter until a child is returned home or a disposition hearing is held.

Section 30 amends s. 39.507, F.S. (Supp.1998), relating to adjudicatory hearings and orders, to provide technical and conforming changes. It clarifies that notice of the disposition hearing date, time and location shall be provided in writing at the conclusion of the adjudicatory hearing

Section 31 amends s. 39.508, F.S. (Supp.1998), relating to disposition hearings, to provide technical and conforming changes. Specifically, subsection (2) clarifies that the disposition report also includes a home study report of the adult with whom the child is living and a determination of the amount of required child support (if the child is out-of-home). Subsection (8)(a) also adds that juvenile court orders take precedence over other custody and visitations orders in other matters.

Subsection (9) clarifies that when a court places a child in temporary legal custody of an adult relative or other adult after adjudication of dependency, the department must continue supervision until the child reaches permanency status in a relative placement (i.e., through adoption, long-term custody, or guardianship). The period of supervision, however, must be for at least 6 months. It does not address how permanency status is achieved through nonrelative placement. It also clarifies and adds several conditions to be included as part of a court's approval to place a child in long-term custody of an adult relative or other adult:

- ▶ the possibility of a child returning to the custody of a parent should the parent demonstrate a material change in circumstances and the return of a child is in the child's best interest.
- ▶ a commitment by the relative or other adult to provide for the child until age of majority and to prepare the child for adulthood and independence
- ▶ an agreement by the relative or other adult not to return the child, even for short visits, to the parent without court approval

The court shall discontinue judicial review hearings if it determines that the placement is stable and no further supervision is needed. However, placement must be for at least 6 months before the court may terminate a department's supervision.

It also clarifies that:

- ▶ the standard for changing the temporary placement of a child under protective supervision must be "in the best interest of the child," and that a new placement (but not in foster care) must meet the home study criteria and have court approval.
- ▶ the court disposition orders must include the next scheduled review hearing which must occur within the earlier of 90 days after the disposition hearing; 90 days after the court accepts a case plan; 6 months after the last review hearing; or 6 months after the child's removal from his or her home (if no review hearing was held).
- ▶ reasonable efforts to reunify are not required in cases in which a child is removed before a disposition hearing if any of the grounds listed for termination of parental rights in 39.806(1)(f)-(i) is found.

Subsection (15) clarifies that the court shall determine whether to continue or terminate supervision based on the department's report, the guardian ad litem's report, and any other relevant factors.

Section 32 amends s. 39.5085, F.S. (Supp.1998), relating to relative caregiver programs, to provide technical, conforming and clarifying changes.

Section 33 amends s. 39.509, F.S. (Supp.1998), relating to grandparents rights, to provide technical and conforming changes, and to clarify that the outcome of an investigation concerning a report of abuse, abandonment, or neglect may be consideration when determining grandparental visitation.

Section 34 amends s. 39.510, F.S. (Supp.1998), relating to appeals, to provide technical and conforming changes.

Part VII, Case Plans (ss. 39.601-39.603)

Section 35 amends s. 39.601, F.S. (Supp.1998) relating to case plan requirements, to provide technical and conforming changes and clarifying that the case plan includes a description of the tasks with which the parent must comply. It also imposes a 72-hour period within which a case plan must be filed and served on all parties before the disposition hearing. It also clarifies that an amended case plan must also be served on all parties whose whereabouts are known, at least 72 hours prior to the department filing it with the court.

Section 36 amends s. 39.602, F.S. (Supp.1998), relating to unilateral case plans, to provide technical and conforming changes.

Section 37 amends s. 39.603, F.S. (Supp.1998), relating to court approvals of case plans, to provide technical and conforming changes, and to clarify that an amended case plan is to be submitted to the court for review and approval within 30 days (rather than a time certain specified by the court) after the court hearing and a copy of the amended plan is to be provided to each party at least 72 hours prior to filing it with the court. Additionally, it expands from 48-hour to 72-hours the period prior to a court hearing in which to serve a copy of the case plan to a nonparticipating parent if the parent can be located.

Part VIII, Judicial Reviews (ss. 39.701-39.704)

Section 38 amends s. 39.701, F.S. (Supp. 1998), to provide technical and conforming changes by providing for a 6-month judicial review cycle until a child reaches permanency status. It clarifies that citizen review panels make the recommendation whether to extend a case plan beyond 12 months and if the panels do recommend an extension, the court must schedule a judicial review hearing within 30 days after receiving the citizen review panel report. It adds that service of notice is not required on persons who were present at the previous judicial review hearing at which the announcement of a subsequent hearing was made. New language is provided to additionally require the social service report to include: 1) a statement related to partial compliance by parents with the provisions of a case, and 2) copies of all medical, psychological and educational records supportive of the case plan. (The social service report is required to be submitted prior to each and every judicial review or citizen review hearing). It also additionally requires that the guardian ad litem's written report be provided to the parent's attorney of record but only to those parents who have not voluntarily surrendered their child for adoption or had their parental rights terminated.

Sections 39, 40 and 41, respectively amend s. 39.702, F.S. (Supp. 1998), relating to citizen review panels, s. 39.703, F.S. (Supp. 1998), relating to initiation of termination of parental rights, and s. 39. 704, F.S. (Supp. 1998), relating to exemptions from judicial review, to provide technical and conforming changes.

Part IX, Termination of Parental Rights (ss. 39.801-39.817)

Section 42 amends s. 39.801, F.S. (Supp. 1998), relating to procedures and jurisdiction, notice, and service of process, to provide technical and conforming changes by clarifying as follows:

- ▶ adds to the form for Notice of Hearing that failure to appear at an advisory hearing regarding termination of parental rights may result in such termination,
- ▶ provides that a parent who appears at an advisory hearing but subsequently fails to appear, pursuant to a court order, at the hearing for the termination of parental rights, is deemed to have consented to a termination of parental rights, and
- ▶ adds that department agents and guardians ad litem may serve subpoenas.

Sections 43 and 44 amend s. 39.802, F.S. (Supp. 1998), relating to the petition for termination of parental rights, and s. 39.805, F.S. (Supp. 1998), relating to the answer to a petition for termination of parental rights, to provide technical changes.

Section 45 amends s. 39. 806, F.S. (Supp. 1998), relating to the grounds for termination of parental rights, as follows:

- ▶ shortens from 90 days to 60 days in which to conduct a diligent search of the identity or location of a parent.
- ▶ changes the “and” to an “or” when referring to conditions of an incarcerated parent as grounds for terminating parental rights such that only one of the three criminal condition of the parent is needed to terminate parental rights.
- ▶ clarifies that the failure of a parent to substantially comply for 12 months after a child’s placement in shelter care or after a dependency adjudication, whichever came first, will constitute evidence of abuse, neglect or abandonment under certain circumstances.

Section 46 amends s. 39.807, F.S. (Supp. 1998), relating to right of counsel and guardian ad litem, to provide conforming changes by requiring the guardian ad litem to provide the court and all parties with his or her report at least 72 hours instead of 48 hours before the disposition hearing.

Section 47 amends s. 39.808, F.S. (Supp. 1998), relating to advisory hearings and pretrial status conferences, to provide technical and conforming changes, and to clarify that an advisory hearing is not required in cases of termination of parental rights based upon voluntary surrender.

Section 48 amends s. 39.811, F.S. (Supp. 1998), relating to powers and orders of disposition, to provide technical and conforming changes, and to clarify that the court is authorized to place a child with the Department of Children and Family Services under certain circumstances relating to termination of parental rights. It clarifies the standard of finding for modifying an order placing the child in the custody of another based on whether the placement of the child is no longer in the best interest of the child.

Section 49 amends s. 39.814, F.S. (Supp. 1998), relating to oaths, records and confidential records, to provide technical and conforming changes, and to clarify that orders terminating parental rights are also admissible in evidence in subsequent termination of parental rights proceedings of a sibling child.

Section 50 amends s. 39.815, F.S. (Supp. 1998), relating to appeals, to reflect the usage of the phrase “out-of-home placement” in lieu of “custody.”

Part X, Guardians Ad Litem and Guardian Advocates (ss. 39.820-39.8295)

Section 51 amends s. 39.822, F.S. (Supp. 1998), relating to the appointment of a guardian ad litem for an abused, abandoned and neglected child, to clarify that written reports must be filed and served on all parties whose whereabouts are known at least 72 hours prior to a hearing.

Miscellaneous

Section 52 amends s. 63.0427, F.S. (Supp. 1998), relating to an adopted minor’s right to continued communication or contact with a sibling, to correct a statutory reference to reflect the transfer of the provisions in s. 39.469, F.S., to 39.811, F.S.

Section 53 amends s. 419.001, F.S. (Supp. 1998), relating to site selection of community residential homes, to correct statutory cross-references to reflect changes in the bill.

Section 54 provides for an effective date of July 1, 1999.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

Even though this bill makes primarily technical and conforming changes, it also contains a number of provisions which arguably involve matters of judicial practice and procedure which fall within the exclusive purview of the judicial branch. Whereas the Legislature has authority to create substantive law, the Florida Supreme Court has sole and preemptive constitutional authority to promulgate rules of practice and procedure. *See* art. V, s.2(a), Fla. Const. However, the Legislature can repeal the court rules by a 2/3 vote. The Legislature cannot enact law that amends or supersedes existing court rules, it can only repeal them. *See Markert v. Johnston*, 367 So.2d 1003 (Fla. 1978).

What constitutes practice and procedure versus substantive law has been decided by the courts on a case by case basis. With few exceptions, it is not entirely clear or definitive. Generally, substantive laws create, define and regulate rights whereas court rules of practice and procedure prescribe the method of process by which a party seeks to enforce or obtains redress. *See Haven Federal Savings & Loan Assoc v. Kirian* 579 So.2d 730 (Fla. 1991). Based on current law, the courts tend to find certain provisions unconstitutional such as those regarding timing and sequence of court procedures, creating expedited proceedings, issuing mandates to the courts to perform certain functions, and attempting to supersede or modify existing rules of court or others intruding into areas of practice and procedure within the province of the court. Additionally, the Rules of Juvenile Procedure may need to be amended to the extent that they conflict with the time frames or procedural steps of certain proceedings as changed by this bill.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill may clarify procedures, rights, and responsibilities for parents and other participants in proceedings under this chapter. It is indeterminate what other impact there may be.

C. Government Sector Impact:

It is indeterminate what impact, if any, there will be on the Department of Children and Family Services, and the State Courts System for implementing any of the changes in the bill, most of which are technical and clarifying.

The bill may clarify procedures for the Department.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.