

By Representatives Lerner, Detert, Ritter, Henriquez,
Greenstein, Heyman, Sobel and Meadows

1 A bill to be entitled
2 An act relating to juveniles; amending s.
3 39.013, F.S.; providing for circuit court
4 jurisdiction in dependency proceedings until
5 the child reaches a specified age; providing
6 for an annual review during the time a child
7 remains in the custody of or under the
8 supervision of the Department of Children and
9 Family Services; amending s. 409.145, F.S.;
10 deleting a requirement that foster care
11 services be terminated upon a child's leaving
12 an educational program; providing an effective
13 date.

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

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17 Section 1. Subsections (2) and (8) of section 39.013,
18 Florida Statutes, are amended to read:

19 39.013 Procedures and jurisdiction; right to
20 counsel.--

21 (2) The circuit court shall have exclusive original
22 jurisdiction of all proceedings under this chapter, of a child
23 voluntarily placed with a licensed child-caring agency, a
24 licensed child-placing agency, or the department, and of the
25 adoption of children whose parental rights have been
26 terminated pursuant to this chapter. Jurisdiction attaches
27 when the initial shelter petition, dependency petition, or
28 termination of parental rights petition is filed or when a
29 child is taken into the custody of the department. The circuit
30 court may assume jurisdiction over any such proceeding
31 regardless of whether the child was in the physical custody of

1 both parents, was in the sole legal or physical custody of
2 only one parent, caregiver, or some other person, or was in
3 the physical or legal custody of no person when the event or
4 condition occurred that brought the child to the attention of
5 the court. When the court obtains jurisdiction of any child
6 who has been found to be dependent, the court shall retain
7 jurisdiction, unless relinquished by its order, until the
8 child reaches 18 years of age, or 23 years of age if they are
9 receiving foster care service.

10 (8) For any child who remains in the custody of the
11 department, the court shall, within the month which
12 constitutes the beginning of the 6-month period before the
13 child's 18th birthday, hold a hearing to review the progress
14 of the child while in the custody of the department.
15 Thereafter, an annual review shall be conducted during the
16 time the child remains in the custody of or under the
17 supervision of the department.

18 Section 2. Paragraph (b) of subsection (3) of section
19 409.145, Florida Statutes, is amended to read:

20 409.145 Care of children.--

21 (3)

22 (b) The services of the foster care program shall
23 continue for those individuals 18 to 23 ~~21~~ years of age only
24 for the period of time the individual is continuously enrolled
25 in high school, junior college, college, or in a program
26 leading to a high school equivalency diploma as defined in s.
27 229.814, or in a full-time career education program; and shall
28 continue for those individuals 18 to 23 years of age only for
29 the period of time the individual is continuously enrolled
30 full-time in a postsecondary educational institution granting
31 a degree, a certificate, or an applied technology diploma.

1 Services ~~may shall~~ be terminated upon completion of or
2 withdrawal or permanent expulsion from high school, the
3 program leading to a high school equivalency, junior college,
4 or college diploma, the full-time career education program, or
5 the postsecondary educational institution granting a degree, a
6 certificate, or an applied technology diploma. In addition,
7 the department may, based upon the availability of funds,
8 provide assistance to those individuals who leave foster care
9 when they attain 18 years of age and subsequently request
10 assistance prior to their 21st birthday. The following are
11 examples of assistance that may be provided: referrals for
12 employment, services for educational or vocational
13 development, and housing assistance.

14 Section 3. This act shall take effect July 1, 2001.

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17 HOUSE SUMMARY

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19 Provides for circuit court jurisdiction in dependency
20 proceedings where a child is receiving foster care
21 services until the child reaches age 23. Provides for an
22 annual review during the period a child remains in the
23 custody of the Department of Children and Family
24 Services. Eliminates a requirement that foster care
25 services be terminated upon a child's leaving an
26 educational program. See bill for details.

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