



384302

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2025	.	
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	.	
	.	

The Committee on Criminal Justice (Simon) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Chapter 984, Florida Statutes, entitled
"Children and Families in Need of Services," is renamed
"Children and Families in Need of Services; Prevention and
Intervention for School Truancy and Ungovernable and Runaway
Children."

Section 2. Section 984.01, Florida Statutes, is amended to



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11 read:

12 984.01 Purposes and intent; personnel standards and
13 screening.—

14 (1) The purposes of this chapter are:

15 (a) To provide judicial, nonjudicial, and other procedures
16 to address the status offenses of children who are truant from
17 school, run away from their caregivers, or exhibit ungovernable
18 behavior by refusing to follow the household rules of their
19 caregivers and engage in behavior that places the child at risk
20 of harm; and to ensure ~~assure~~ due process through which children
21 and other interested parties are assured fair hearings by a
22 respectful and respected court ~~or other tribunal~~ and the
23 recognition, protection, and enforcement of their constitutional
24 and other legal rights, ~~while ensuring that public safety~~
25 ~~interests and the authority and dignity of the courts are~~
26 ~~adequately protected.~~

27 (b) To provide for the care, safety, and protection of
28 children in an environment that cultivates ~~fosters~~ healthy
29 social, emotional, intellectual, and physical development; to
30 ensure the safety of children ~~secure and safe custody~~; and to
31 promote the education, health, and well-being of all children
32 under the state's care.

33 (c) To provide ~~ensure the protection of society, by~~
34 ~~providing~~ for a needs ~~comprehensive standardized~~ assessment of
35 the child's needs, strengths, and family dynamics so that the
36 most appropriate services ~~control, discipline, punishment, and~~
37 ~~treatment~~ can be provided in the most appropriate environment
38 ~~administered~~ consistent with the ~~seriousness of the act~~
39 ~~committed, the~~ community's long-term need for public safety and



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40 the safety of the individual child, with consideration given to
41 the education and overall well-being, ~~the prior record of the~~
42 ~~child, and the specific rehabilitation needs of the child, while~~
43 ~~also providing restitution, whenever possible, to the victim of~~
44 ~~the offense.~~

45 (d) To preserve and strengthen the child's family ties
46 whenever possible; provide for temporary shelter placement of
47 the child only when necessary for the child's education, safety,
48 and welfare and when other less restrictive alternatives have
49 been exhausted; provide, ~~by providing for removal of the child~~
50 ~~from parental custody only when his or her welfare or the safety~~
51 ~~and protection of the public cannot be adequately safeguarded~~
52 ~~without such removal; and, when the child is removed from his or~~
53 ~~her own family, to secure custody, care, and education;~~
54 encourage self-discipline; and increase protective factors when
55 the child is in temporary shelter placement ~~discipline for the~~
56 ~~child as nearly as possible equivalent to that which should have~~
57 ~~been given by the parents; and to assure, in all cases in which~~
58 ~~a child must be permanently removed from parental custody, that~~
59 ~~the child be placed in an approved family home, adoptive home,~~
60 ~~independent living program, or other placement that provides the~~
61 ~~most stable and permanent living arrangement for the child, as~~
62 ~~determined by the court.~~

63 (e) ~~1.~~ To ensure ~~assure~~ that the adjudication and
64 disposition of a child alleged or found to be a child in need of
65 services ~~have committed a violation of Florida law~~ be exercised
66 with appropriate discretion and in keeping with the seriousness
67 of the misconduct ~~offense~~ and the need for ~~treatment~~ services,
68 and that all findings made under this chapter be based upon



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69 facts presented at a hearing that meets the constitutional
70 standards of fundamental fairness and due process.

71 ~~2. To assure that the sentencing and placement of a child~~
72 ~~tried as an adult be appropriate and in keeping with the~~
73 ~~seriousness of the offense and the child's need for~~
74 ~~rehabilitative services, and that the proceedings and procedures~~
75 ~~applicable to such sentencing and placement be applied within~~
76 ~~the full framework of constitutional standards of fundamental~~
77 ~~fairness and due process.~~

78 (f) To provide a court process through which school boards
79 are able to access the court for the limited purpose of early
80 truancy intervention for children, subject to compulsory
81 education, who are not engaging in regular school attendance,
82 and encourage school attendance by educating children and their
83 families on the importance of regular school attendance and
84 provide services to families to prevent the child's pattern of
85 truancy from becoming habitual ~~children committed to the~~
86 ~~Department of Juvenile Justice with training in life skills,~~
87 ~~including career education.~~

88 (2) ~~The department of Juvenile Justice or the Department of~~
89 ~~Children and Families, as appropriate,~~ may contract with the
90 Federal Government, other state departments and agencies, county
91 and municipal governments and agencies, public and private
92 agencies, and private individuals and corporations in carrying
93 out the purposes of, and the responsibilities established in,
94 this chapter.

95 (a) If the department contracts with a provider for any
96 program for children, all personnel, including owners,
97 operators, employees, and volunteers, in the facility must be of



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98 good moral character. The Each contract entered into by either
99 department and any agency providing services for the department
100 must require that each contract entered into for services
101 delivered on an appointment or intermittent basis by a provider
102 that does or does not have regular custodial responsibility for
103 children and each contract with a school for before or aftercare
104 services must ensure that the owners, operators, and all
105 personnel who have direct contact with children are of good
106 moral character and must meet level 2 screening requirements as
107 described in s. 435.04. A volunteer who assists on an
108 intermittent basis for less than 10 hours per month need not be
109 screened if a person who meets the screening requirement of this
110 section is always present and has the volunteer in his or her
111 line of sight.

112 ~~(b) The department of Juvenile Justice and the Department~~
113 ~~of Children and Families shall require employment screening~~
114 ~~pursuant to chapter 435, using the level 2 standards set forth~~
115 ~~in that chapter for personnel in programs for children or~~
116 ~~youths.~~

117 ~~(b)(e) The department of Juvenile Justice or the Department~~
118 ~~of Children and Families may grant exemptions from~~
119 ~~disqualification from working with children as provided in s.~~
120 ~~435.07.~~

121 (c) Any shelter used for the placement of children under
122 this chapter must be licensed by the Department of Children and
123 Families.

124 ~~(3) It is the intent of the Legislature that This chapter~~
125 ~~is to be liberally interpreted and construed in conformity with~~
126 ~~its declared purposes.~~



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127 Section 3. Section 984.02, Florida Statutes, is amended to
128 read:

129 984.02 Legislative intent for prevention and intervention
130 under chapter 984 ~~the juvenile justice system.~~

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

134 (a) Protection from abuse, neglect, and exploitation.

135 (b) A permanent and stable home.

136 (c) A safe and nurturing environment which will preserve a
137 sense of personal dignity and integrity.

138 (d) Adequate nutrition, shelter, and clothing.

139 (e) Effective services or treatment to address physical,
140 social, and emotional needs, ~~regardless of geographical~~
141 ~~location.~~

142 (f) Equal opportunity and access to quality and effective
143 education which will meet the individual needs of each child and
144 prepare the child for future employment, and to recreation and
145 other community resources to develop individual abilities.

146 (g) Access to preventive services to provide the child and
147 family the support of community resources to address the needs
148 of the child and reduce the risk of harm or engaging in
149 delinquent behavior.

150 (h) Court ~~An independent, trained advocate when~~
151 intervention only when is necessary to address at-risk behavior
152 before the behavior escalates into harm to the child or to the
153 community through delinquent behavior.

154 (i) Access to representation by a trained advocate when
155 court proceedings are initiated under this chapter.



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156 (j) Supervision and services by skilled staff when
157 temporary out of home placement is necessary ~~and a skilled~~
158 ~~guardian or caretaker in a safe environment when alternative~~
159 ~~placement is necessary.~~

160 (2) SUBSTANCE ABUSE SERVICES.—The Legislature finds that
161 children in the care of the state's juvenile justice and
162 intervention dependency and delinquency systems need appropriate
163 health care services and, that the impact of substance abuse on
164 health requires ~~indicates~~ the need for health care services to
165 include substance abuse services when ~~where~~ appropriate., ~~and~~
166 ~~that~~ It is in the state's best interest that ~~such~~ children be
167 provided the services they need to enable them to become and
168 remain independent of state care. In order to provide these
169 services, the state's juvenile justice and intervention
170 dependency and delinquency systems must have the ability to
171 identify and make referrals to experts capable of providing
172 ~~provide appropriate~~ intervention and treatment for children with
173 personal or family-related substance abuse problems. It is
174 therefore the purpose of the Legislature to provide authority
175 for the state to contract with community substance abuse
176 treatment providers for the development and operation of
177 specialized support and overlay services for the juvenile
178 justice and intervention dependency and delinquency systems,
179 subject to legislative appropriation, which will be fully
180 implemented and utilized as resources permit. This section does
181 not prevent agencies from referring children and families to
182 privately operated community service providers to the extent the
183 families have funding or insurance to provide care.

184 (3) JUVENILE JUSTICE AND INTERVENTION ~~DELINQUENCY~~



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185 ~~PREVENTION.~~—It is the policy of the state regarding ~~with respect~~
186 ~~to~~ juvenile justice and intervention ~~delinquency prevention~~ to
187 first protect the public from acts of delinquency. In addition,
188 it is the policy of the state to:

189 (a) Develop and implement effective methods of preventing
190 and reducing acts of delinquency, with a focus on maintaining
191 and strengthening the family ~~as a whole~~ so that children may
192 remain in their homes or communities.

193 (b) Develop and implement effective programs to prevent
194 delinquency, to divert children from the traditional juvenile
195 justice system, to intervene at an early stage of delinquency,
196 and to provide critically needed alternatives to
197 institutionalization and deep-end commitment.

198 (c) Provide well-trained personnel, high-quality services,
199 and cost-effective programs within the juvenile justice system.

200 (d) Increase the capacity of local governments and public
201 and private agencies to conduct rehabilitative treatment
202 programs and to provide research, evaluation, and training
203 services for in the field of juvenile delinquency prevention.

204 (e) Develop and implement effective early prevention
205 programs to address truancy and ungovernable and runaway
206 behavior of children which places the child at risk of harm, and
207 allow for intervention before the child engages in a delinquent
208 act.

209
210 The Legislature intends that temporary shelter ~~detention~~ care,
211 in addition to providing safe care ~~secure and safe custody~~, will
212 promote the health and well-being of the children placed therein
213 ~~committed thereto~~ and provide an environment that fosters their



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214 social, emotional, intellectual, and physical development.

215 (4) PARENTAL, CUSTODIAL, AND GUARDIAN RESPONSIBILITIES.—

216 Parents, custodians, and guardians are deemed by the state to be
217 responsible for providing their children with sufficient

218 support, guidance, and supervision to deter their participation

219 in delinquent acts, and ensure their children attend school and

220 engage in education to prepare their child for their future. The

221 state further recognizes that the ability of parents,

222 custodians, and guardians to fulfill those responsibilities can

223 be greatly impaired by economic, social, behavioral, emotional,

224 and related problems. It is therefore the policy of the

225 Legislature that it is the state's responsibility to ensure that

226 factors impeding the ability of caretakers to fulfill their

227 responsibilities are identified and appropriate recommendations

228 are provided to address those impediments through the provision

229 of nonjudicial voluntary family services for families in need of

230 services and through the child in need of services court

231 processes ~~delinquency intake process and that appropriate~~

232 ~~recommendations to address those problems are considered in any~~

233 ~~judicial or nonjudicial proceeding.~~

234 (5) PROVISION OF SERVICES.—Services to families shall be

235 provided on a continuum of increasing intensity and

236 participation by the parent, legal guardian, or custodian and

237 child. Judicial intervention to resolve the problems and

238 conflicts that exist within a family shall be limited to

239 situations in which a resolution to the problem or conflict has

240 not been achieved through individual and family services after

241 all available less restrictive resources have been exhausted. In

242 creating this chapter, the Legislature recognizes the need to



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243 distinguish the problems of truants, runaways, and children
244 beyond the control of their parents, and the services provided
245 to these children, from the problems and services designed to
246 meet the needs of abandoned, abused, neglected, and delinquent
247 children. In achieving this distinction, it is the policy of the
248 state to develop short-term services using the least restrictive
249 method for children and families, early truancy intervention,
250 and children in need of services.

251 Section 4. Section 984.03, Florida Statutes, is amended to
252 read:

253 984.03 Definitions.—When used in this chapter, the term:

254 (1) “Abandoned” or “abandonment” have the same meaning as
255 in s. 39.01(1) means a situation in which the parent or legal
256 custodian of a child or, in the absence of a parent or legal
257 custodian, the person responsible for the child’s welfare, while
258 being able, makes no provision for the child’s support and makes
259 no effort to communicate with the child, which situation is
260 sufficient to evince a willful rejection of parental
261 obligations. If the efforts of such parent or legal custodian,
262 or person primarily responsible for the child’s welfare to
263 support and communicate with the child are, in the opinion of
264 the court, only marginal efforts that do not evince a settled
265 purpose to assume all parental duties, the court may declare the
266 child to be abandoned. The term “abandoned” does not include a
267 “child in need of services” as defined in subsection (9) or a
268 “family in need of services” as defined in subsection (25). The
269 incarceration of a parent, legal custodian, or person
270 responsible for a child’s welfare does not constitute a bar to a
271 finding of abandonment.



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272 (2) "Abuse" has the same meaning as in s. 39.01(2) ~~means~~
273 ~~any willful act that results in any physical, mental, or sexual~~
274 ~~injury that causes or is likely to cause the child's physical,~~
275 ~~mental, or emotional health to be significantly impaired.~~
276 ~~Corporal discipline of a child by a parent or guardian for~~
277 ~~disciplinary purposes does not in itself constitute abuse when~~
278 ~~it does not result in harm to the child as defined in s. 39.01.~~

279 ~~(3) "Addictions receiving facility" means a substance abuse~~
280 ~~service provider as defined in chapter 397.~~

281 (3)(4) "Adjudicatory hearing" means a hearing for the court
282 to determine whether or not the facts support the allegations
283 stated in the petition as is provided for under s. 984.20(2) in
284 child in need of services ~~child in need of services~~ cases.

285 (4)(5) "Adult" means any natural person other than a child.

286 (5)(6) "Authorized agent" or "designee" of the department
287 means a person or agency assigned or designated by the
288 Department of Juvenile Justice ~~or the Department of Children and~~
289 ~~Families, as appropriate,~~ to perform duties or exercise powers
290 pursuant to this chapter and includes contract providers and
291 subcontracted providers and their employees for purposes of
292 providing voluntary family services, and providing court-ordered
293 services ~~to~~ and managing cases of children in need of services
294 ~~and families in need of services.~~

295 ~~(7) "Caretaker/homemaker" means an authorized agent of the~~
296 ~~Department of Children and Families who shall remain in the~~
297 ~~child's home with the child until a parent, legal guardian, or~~
298 ~~relative of the child enters the home and is capable of assuming~~
299 ~~and agrees to assume charge of the child.~~

300 (6)(8) "Child" or "juvenile" or "youth" means any unmarried



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301 person under the age of 18 who has not been emancipated by order
302 of the court and ~~who has been found or alleged to be dependent,~~
303 ~~in need of services, or from a family in need of services; or~~
304 ~~any married or unmarried person who is charged with a violation~~
305 ~~of law occurring prior to the time that person reached the age~~
306 ~~of 18 years.~~

307 (7)(9) "Child in need of services" means a child for whom
308 there is no pending petition filed with the court ~~investigation~~
309 ~~into an allegation or suspicion of abuse, neglect, or~~
310 ~~abandonment; no pending referral~~ alleging the child is
311 delinquent; or no current court ordered supervision by the
312 department for delinquency under chapter 985 ~~of Juvenile Justice~~
313 or the Department of Children and Families for ~~an adjudication~~
314 ~~of dependency under chapter 39 or delinquency.~~ The child must
315 also, pursuant to this chapter, be found by the court:

316 (a) To have persistently run away from the child's parents,
317 ~~or~~ legal guardians, or custodians despite reasonable efforts of
318 ~~the child, the parents, or~~ legal guardians, or custodians, and
319 appropriate agencies to remedy the conditions contributing to
320 the behavior. Reasonable efforts shall include ~~voluntary~~
321 participation by the child's parents ~~or~~ legal guardian, or
322 custodians and the child in ~~family mediation, voluntary~~
323 services, and treatment offered by the department or through its
324 authorized agent ~~of Juvenile Justice or the Department of~~
325 ~~Children and Families;~~

326 (b) To be a habitual ~~habitually~~ truant from school, while
327 subject to compulsory school attendance, despite reasonable
328 efforts to remedy the situation pursuant to ss. 1003.26 and
329 1003.27 and ~~through voluntary participation by the child's~~



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330 ~~parents or legal custodians and by the child in family~~
331 ~~mediation, services, and treatment offered by the department or~~
332 ~~its authorized agent of Juvenile Justice or the Department of~~
333 ~~Children and Families; or~~

334 (c) To be ungovernable by having ~~have~~ persistently
335 disobeyed the reasonable and lawful rules and demands of the
336 child's parents, ~~or~~ legal guardians, or custodians, and to be
337 beyond their control despite the child having the mental and
338 physical capacity to understand and obey lawful rules and
339 demands, and despite efforts by the child's parents, ~~or~~ legal
340 guardians, or custodians and appropriate agencies to remedy the
341 conditions contributing to the behavior. Reasonable efforts may
342 include such things as good faith participation in voluntary
343 family services or individual services ~~counseling~~.

344 ~~(10) "Child support" means a court-ordered obligation,~~
345 ~~enforced under chapter 61 and ss. 409.2551-409.2597, for~~
346 ~~monetary support for the care, maintenance, training, and~~
347 ~~education of a child.~~

348 ~~(11) "Child who has been found to have committed a~~
349 ~~delinquent act" means a child who, pursuant to the provisions of~~
350 ~~chapter 985, is found by a court to have committed a violation~~
351 ~~of law or to be in direct or indirect contempt of court, except~~
352 ~~that this definition shall not include an act constituting~~
353 ~~contempt of court arising out of a dependency proceeding or a~~
354 ~~proceeding pursuant to this chapter.~~

355 ~~(12) "Child who is found to be dependent" or "dependent~~
356 ~~child" means a child who, pursuant to this chapter, is found by~~
357 ~~the court:~~

358 ~~(a) To have been abandoned, abused, or neglected by the~~



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359 ~~child's parents or other custodians.~~

360 ~~(b) To have been surrendered to the former Department of~~
361 ~~Health and Rehabilitative Services, the Department of Children~~
362 ~~and Families, or a licensed child-placing agency for purpose of~~
363 ~~adoption.~~

364 ~~(c) To have been voluntarily placed with a licensed child-~~
365 ~~earing agency, a licensed child-placing agency, an adult~~
366 ~~relative, the former Department of Health and Rehabilitative~~
367 ~~Services, or the Department of Children and Families, after~~
368 ~~which placement, under the requirements of this chapter, a case~~
369 ~~plan has expired and the parent or parents have failed to~~
370 ~~substantially comply with the requirements of the plan.~~

371 ~~(d) To have been voluntarily placed with a licensed child-~~
372 ~~placing agency for the purposes of subsequent adoption and a~~
373 ~~natural parent or parents signed a consent pursuant to the~~
374 ~~Florida Rules of Juvenile Procedure.~~

375 ~~(e) To have no parent, legal custodian, or responsible~~
376 ~~adult relative to provide supervision and care.~~

377 ~~(f) To be at substantial risk of imminent abuse or neglect~~
378 ~~by the parent or parents or the custodian.~~

379 ~~(8)(13)~~ "Circuit" means any of the 20 judicial circuits as
380 set forth in s. 26.021.

381 ~~(14) "Comprehensive assessment" or "assessment" means the~~
382 ~~gathering of information for the evaluation of a juvenile~~
383 ~~offender's or a child's physical, psychological, educational,~~
384 ~~vocational, and social condition and family environment as they~~
385 ~~relate to the child's need for rehabilitative and treatment~~
386 ~~services, including substance abuse treatment services, mental~~
387 ~~health services, developmental services, literacy services,~~



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388 ~~medical services, family services, and other specialized~~
389 ~~services, as appropriate.~~

390 ~~(9)~~(15) "Court," unless otherwise expressly stated, means
391 the circuit court assigned to exercise jurisdiction under this
392 chapter.

393 ~~(10)~~ "Custodian" means any adult person who is exercising
394 actual physical custody of the child and is providing food,
395 clothing, and care for the child in the absence of a parent or
396 legal guardian.

397 ~~(16)~~ "Delinquency program" means any intake, community
398 control, or similar program; regional detention center or
399 facility; or community-based program, whether owned and operated
400 by or contracted by the Department of Juvenile Justice, or
401 institution owned and operated by or contracted by the
402 Department of Juvenile Justice, which provides intake,
403 supervision, or custody and care of children who are alleged to
404 be or who have been found to be delinquent pursuant to chapter
405 985.

406 ~~(11)~~(17) "Department" means the Department of Juvenile
407 Justice.

408 ~~(18)~~ "Detention care" means the temporary care of a child
409 in secure, nonsecure, or home detention, pending a court
410 adjudication or disposition or execution of a court order. There
411 are three types of detention care, as follows:

412 ~~(a)~~ "Secure detention" means temporary custody of the child
413 while the child is under the physical restriction of a detention
414 center or facility pending adjudication, disposition, or
415 placement.

416 ~~(b)~~ "Nonsecure detention" means temporary custody of the



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417 ~~child while the child is in a residential home in the community~~
418 ~~in a physically nonrestrictive environment under the supervision~~
419 ~~of the Department of Juvenile Justice pending adjudication,~~
420 ~~disposition, or placement.~~

421 ~~(c) "Home detention" means temporary custody of the child~~
422 ~~while the child is released to the custody of the parent,~~
423 ~~guardian, or custodian in a physically nonrestrictive~~
424 ~~environment under the supervision of the Department of Juvenile~~
425 ~~Justice staff pending adjudication, disposition, or placement.~~

426 ~~(19) "Detention center or facility" means a facility used~~
427 ~~pending court adjudication or disposition or execution of court~~
428 ~~order for the temporary care of a child alleged or found to have~~
429 ~~committed a violation of law. A detention center or facility may~~
430 ~~provide secure or nonsecure custody. A facility used for the~~
431 ~~commitment of adjudicated delinquents shall not be considered a~~
432 ~~detention center or facility.~~

433 ~~(20) "Detention hearing" means a hearing for the court to~~
434 ~~determine if a child should be placed in temporary custody, as~~
435 ~~provided for under s. 39.402, in dependency cases.~~

436 ~~(21) "Diligent efforts of social service agency" means~~
437 ~~reasonable efforts to provide social services or reunification~~
438 ~~services made by any social service agency as defined in this~~
439 ~~section that is a party to a case plan.~~

440 ~~(22) "Diligent search" means the efforts of a social~~
441 ~~service agency to locate a parent or prospective parent whose~~
442 ~~identity or location is unknown, or a relative made known to the~~
443 ~~social services agency by the parent or custodian of a child.~~
444 ~~When the search is for a parent, prospective parent, or relative~~
445 ~~of a child in the custody of the department, this search must be~~



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446 ~~initiated as soon as the agency is made aware of the existence~~
447 ~~of such parent, prospective parent, or relative. A diligent~~
448 ~~search shall include interviews with persons who are likely to~~
449 ~~have information about the identity or location of the person~~
450 ~~being sought, comprehensive database searches, and records~~
451 ~~searches, including searches of employment, residence,~~
452 ~~utilities, Armed Forces, vehicle registration, child support~~
453 ~~enforcement, law enforcement, and corrections records, and any~~
454 ~~other records likely to result in identifying and locating the~~
455 ~~person being sought. The initial diligent search must be~~
456 ~~completed within 90 days after a child is taken into custody.~~
457 ~~After the completion of the initial diligent search, the~~
458 ~~department, unless excused by the court, shall have a continuing~~
459 ~~duty to search for relatives with whom it may be appropriate to~~
460 ~~place the child, until such relatives are found or until the~~
461 ~~child is placed for adoption.~~

462 (12)~~(23)~~ "Disposition hearing" means a hearing in which the
463 court determines the most appropriate dispositional services in
464 the least restrictive available setting provided for under s.
465 984.20(3), in child in need of services ~~child-in-need-of-~~
466 ~~services~~ cases.

467 (13) "Early truancy intervention" means action taken by a
468 school or school district pursuant to s. 1003.26 to identify a
469 pattern of nonattendance by a student subject to compulsory
470 school attendance at the earliest opportunity to address the
471 reasons for the student's nonattendance, and includes services
472 provided by the school or school district, or the department or
473 its authorized agent pursuant to s. 984.11, and may include
474 judicial action pursuant to s. 984.151 or s. 1003.27.



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475 ~~(14)-(24)~~ "Family" means a collective body of persons,
476 consisting of a child and a parent, legal guardian, ~~adult~~
477 custodian, or adult relative, in which:

478 (a) The persons reside in the same house or living unit; or

479 (b) The parent, legal guardian, ~~adult~~ custodian, or adult
480 relative has a legal responsibility by blood, marriage, or court
481 order to support or care for the child.

482 ~~(15)-(25)~~ "Family in need of services" means a family that
483 has a child who is running away; who is ungovernable and
484 persistently disobeying reasonable and lawful demands of the
485 parent or legal custodian and is beyond the control of the
486 parent or legal custodian; or who is a habitual ~~habitually~~
487 truant ~~from school~~ or engaging in other serious behaviors that
488 place the child at risk of future abuse, neglect, or abandonment
489 or at risk of entering the juvenile justice system. The child
490 must be referred to a law enforcement agency, the department ~~of~~
491 ~~Juvenile Justice~~, or an agency contracted to provide services to
492 children in need of services. A family is not eligible to
493 receive voluntary family services if, at the time of the
494 referral, ~~there is an open investigation into an allegation of~~
495 ~~abuse, neglect, or abandonment or if the child is currently~~
496 under court-ordered supervision by the department for
497 delinquency under chapter 985 of Juvenile Justice or the
498 Department of Children and Families due to a finding of
499 dependency under chapter 39 ~~an adjudication of dependency or~~
500 ~~delinquency.~~

501 ~~(26)~~ "Foster care" means ~~care provided a child in a foster~~
502 ~~family or boarding home, group home, agency boarding home, child~~
503 ~~care institution, or any combination thereof.~~



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504 ~~(16)-(27)~~ "Habitual Habitually truant" has the same meaning
505 as in s. 1003.01(12). ~~means that:~~

506 ~~(a) The child has 15 unexcused absences within 90 calendar~~
507 ~~days with or without the knowledge or justifiable consent of the~~
508 ~~child's parent or legal guardian, is subject to compulsory~~
509 ~~school attendance under s. 1003.21(1) and (2) (a), and is not~~
510 ~~exempt under s. 1003.21(3), s. 1003.24, or any other exemptions~~
511 ~~specified by law or the rules of the State Board of Education.~~

512 ~~(b) Activities to determine the cause, and to attempt the~~
513 ~~remediation, of the child's truant behavior under ss. 1003.26~~
514 ~~and 1003.27(3), have been completed.~~

515
516 ~~If a child who is subject to compulsory school attendance is~~
517 ~~responsive to the interventions described in ss. 1003.26 and~~
518 ~~1003.27(3) and has completed the necessary requirements to pass~~
519 ~~the current grade as indicated in the district pupil progression~~
520 ~~plan, the child shall not be determined to be habitually truant~~
521 ~~and shall be passed. If a child within the compulsory school~~
522 ~~attendance age has 15 unexcused absences within 90 calendar days~~
523 ~~or fails to enroll in school, the State Attorney may, or the~~
524 ~~appropriate jurisdictional agency shall, file a child-in-need-~~
525 ~~of-services petition if recommended by the case staffing~~
526 ~~committee, unless it is determined that another alternative~~
527 ~~action is preferable. The failure or refusal of the parent or~~
528 ~~legal guardian or the child to participate, or make a good faith~~
529 ~~effort to participate, in the activities prescribed to remedy~~
530 ~~the truant behavior, or the failure or refusal of the child to~~
531 ~~return to school after participation in activities required by~~
532 ~~this subsection, or the failure of the child to stop the truant~~



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533 ~~behavior after the school administration and the Department of~~
534 ~~Juvenile Justice have worked with the child as described in ss.~~
535 ~~1003.26 and 1003.27(3) shall be handled as prescribed in s.~~
536 ~~1003.27.~~

537 ~~(17)(28)~~ "Intake" means the initial acceptance and
538 screening by the department or its authorized agent of a
539 referral from an early truancy intervention court, a school
540 board, or a school requesting services; a request for assistance
541 from a parent or child; or a complaint, of Juvenile Justice of a
542 ~~complaint or a law enforcement report,~~ or probable cause
543 affidavit of a child's truancy, ungovernable behavior, or
544 running away, on behalf of a family delinquency, family in need
545 ~~of services, or child in need of services~~ to determine the most
546 appropriate course of action recommendation to be taken in the
547 best interests of the child, the family, and the community. The
548 emphasis of intake is on diversion and the least restrictive
549 available services. Consequently, intake includes such
550 alternatives as:

551 (a) The disposition of the request for services, complaint,
552 report, or probable cause affidavit without court or public
553 agency action or judicial handling when appropriate.

554 (b) The referral of the child to another public or private
555 agency when appropriate.

556 (c) The recommendation by the assigned intake case manager
557 ~~juvenile probation officer~~ of judicial handling when appropriate
558 and warranted.

559 ~~(18)(29)~~ "Judge" means the circuit judge exercising
560 jurisdiction pursuant to this chapter.

561 ~~(30) "Juvenile justice continuum" includes, but is not~~



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562 ~~limited to, delinquency prevention programs and services~~
563 ~~designed for the purpose of preventing or reducing delinquent~~
564 ~~acts, including criminal activity by criminal gangs and juvenile~~
565 ~~arrests, as well as programs and services targeted at children~~
566 ~~who have committed delinquent acts, and children who have~~
567 ~~previously been committed to residential treatment programs for~~
568 ~~delinquents. The term includes children in need of services and~~
569 ~~families in need of services programs; conditional release;~~
570 ~~substance abuse and mental health programs; educational and~~
571 ~~vocational programs; recreational programs; community services~~
572 ~~programs; community service work programs; and alternative~~
573 ~~dispute resolution programs serving children at risk of~~
574 ~~delinquency and their families, whether offered or delivered by~~
575 ~~state or local governmental entities, public or private for-~~
576 ~~profit or not-for-profit organizations, or religious or~~
577 ~~charitable organizations.~~

578 ~~(31) "Juvenile probation officer" means the authorized~~
579 ~~agent of the department who performs and directs intake,~~
580 ~~assessment, probation, or conditional release, and other related~~
581 ~~services.~~

582 ~~(19)(32)~~ "Legal custody" means a legal status created by
583 court order or letter of guardianship which vests in a custodian
584 of the person or guardian, whether an agency or an individual,
585 the right to have physical custody of the child and the right
586 and duty to protect, train, and discipline the child and to
587 provide him or her with food, shelter, education, and ordinary
588 medical, dental, psychiatric, and psychological care.

589 ~~(20)(33)~~ "Licensed child-caring agency" means a person,
590 society, association, or agency licensed by the Department of



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591 Children and Families to care for, receive, and board children,
592 and includes shelters under this chapter.

593 (21)~~(34)~~ "Licensed health care professional" means a
594 physician licensed under chapter 458, an osteopathic physician
595 licensed under chapter 459, a nurse licensed under part I of
596 chapter 464, a physician assistant licensed under chapter 458 or
597 chapter 459, or a dentist licensed under chapter 466.

598 ~~(35) "Mediation" means a process whereby a neutral third~~
599 ~~person called a mediator acts to encourage and facilitate the~~
600 ~~resolution of a dispute between two or more parties. It is an~~
601 ~~informal and nonadversarial process with the objective of~~
602 ~~helping the disputing parties reach a mutually acceptable and~~
603 ~~voluntary agreement. In mediation, decisionmaking authority~~
604 ~~rests with the parties. The role of the mediator includes, but~~
605 ~~is not limited to, assisting the parties in identifying issues,~~
606 ~~fostering joint problem solving, and exploring settlement~~
607 ~~alternatives.~~

608 (22)~~(36)~~ "Necessary medical treatment" means care that is
609 necessary within a reasonable degree of medical certainty to
610 prevent the deterioration of a child's condition or to alleviate
611 immediate pain of a child.

612 (23) "Needs assessment" means the gathering of information
613 for the evaluation of a child's physical, psychological,
614 educational, vocational, and social condition and family
615 environment related to the child's need for services, including
616 substance abuse treatment services, mental health services,
617 developmental services, literacy services, medical services,
618 family services, individual and family counseling, education
619 services, and other specialized services, as appropriate.



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620 ~~(24)(37)~~ "Neglect" has the same meaning as in s. 39.01(53).
621 ~~occurs when the parent or legal custodian of a child or, in the~~
622 ~~absence of a parent or legal custodian, the person primarily~~
623 ~~responsible for the child's welfare deprives a child of, or~~
624 ~~allows a child to be deprived of, necessary food, clothing,~~
625 ~~shelter, or medical treatment or permits a child to live in an~~
626 ~~environment when such deprivation or environment causes the~~
627 ~~child's physical, mental, or emotional health to be~~
628 ~~significantly impaired or to be in danger of being significantly~~
629 ~~impaired. The foregoing circumstances shall not be considered~~
630 ~~neglect if caused primarily by financial inability unless actual~~
631 ~~services for relief have been offered to and rejected by such~~
632 ~~person. A parent or guardian legitimately practicing religious~~
633 ~~beliefs in accordance with a recognized church or religious~~
634 ~~organization who thereby does not provide specific medical~~
635 ~~treatment for a child shall not, for that reason alone, be~~
636 ~~considered a negligent parent or guardian; however, such an~~
637 ~~exception does not preclude a court from ordering the following~~
638 ~~services to be provided, when the health of the child so~~
639 ~~requires:~~

640 ~~(a) Medical services from a licensed physician, dentist,~~
641 ~~optometrist, podiatric physician, or other qualified health care~~
642 ~~provider; or~~

643 ~~(b) Treatment by a duly accredited practitioner who relies~~
644 ~~solely on spiritual means for healing in accordance with the~~
645 ~~tenets and practices of a well-recognized church or religious~~
646 ~~organization.~~

647 ~~(38) "Next of kin" means an adult relative of a child who~~
648 ~~is the child's brother, sister, grandparent, aunt, uncle, or~~



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649 ~~first cousin.~~

650 ~~(25)-(39)~~ "Parent" means a woman who gives birth to a child
651 and a man whose consent to the adoption of the child would be
652 required under s. 63.062(1). If a child has been legally
653 adopted, the term "parent" means the adoptive mother or father
654 of the child. The term does not include an individual whose
655 parental relationship to the child has been legally terminated,
656 or an alleged or prospective parent, unless the parental status
657 falls within the terms of either s. 39.503(1) or s. 63.062(1).

658 ~~(26)-(40)~~ "Participant," for purposes of a ~~shelter~~
659 proceeding under this chapter, means any person who is not a
660 party but who should receive notice of hearings involving the
661 child, including foster parents, identified prospective parents,
662 grandparents entitled to priority for adoption consideration
663 under s. 63.0425, actual custodians of the child, and any other
664 person whose participation may be in the best interest of the
665 child. Participants may be granted leave by the court to be
666 heard without the necessity of filing a motion to intervene.

667 ~~(27)-(41)~~ "Party," for purposes of a ~~shelter~~ proceeding
668 under this chapter, means the parent, legal guardian, or actual
669 custodian of the child, the petitioner, the department, the
670 guardian ad litem when one has been appointed, and the child.
671 The presence of the child may be excused by order of the court
672 when presence would not be in the child's best interest or the
673 child has failed to appear for a proceeding after having been
674 noticed. ~~Notice to the child may be excused by order of the~~
675 ~~court when the age, capacity, or other condition of the child is~~
676 ~~such that the notice would be meaningless or detrimental to the~~
677 ~~child.~~



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678 (28) "Physically secure shelter" means a department-
679 approved locked facility or locked unit within a facility for
680 the care of a child adjudicated a child in need of services who
681 is court ordered to be held pursuant to s. 984.226. A physically
682 secure shelter unit shall provide 24-hour, continuous
683 supervision.

684 ~~(42) "Preliminary screening" means the gathering of~~
685 ~~preliminary information to be used in determining a child's need~~
686 ~~for further evaluation or assessment or for referral for other~~
687 ~~substance abuse services through means such as psychosocial~~
688 ~~interviews; urine and breathalyzer screenings; and reviews of~~
689 ~~available educational, delinquency, and dependency records of~~
690 ~~the child.~~

691 (29)~~(43)~~ "Preventive services" means social services and
692 other supportive and evaluation and intervention ~~rehabilitative~~
693 services provided to the child or the parent, ~~of the child, the~~
694 legal guardian ~~of the child,~~ or the custodian of the child ~~and~~
695 ~~to the child~~ for the purpose of averting the removal of the
696 child from the home or disruption of a family which will or
697 could result in an adjudication that orders the placement of a
698 child under dependency supervision ~~into foster care~~ or into the
699 delinquency system ~~or that will or could result in the child~~
700 ~~living on the street.~~ Social services and other supportive ~~and~~
701 ~~rehabilitative~~ services may include the provision of assessment
702 and screening services; individual, group, or family counseling;
703 specialized educational and vocational services; temporary
704 voluntary shelter for the child; outreach services for children
705 living on the street; ~~independent living services to assist~~
706 ~~adolescents in achieving a successful transition to adulthood;~~



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707 and other specialized services.

708 ~~(44) "Protective supervision" means a legal status in~~
709 ~~child in need of services cases or family in need of services~~
710 ~~cases which permits the child to remain in his or her own home~~
711 ~~or other placement under the supervision of an agent of the~~
712 ~~Department of Juvenile Justice or the Department of Children and~~
713 ~~Families, subject to being returned to the court during the~~
714 ~~period of supervision.~~

715 ~~(30)(45)~~ "Relative" means a grandparent, great-grandparent,
716 sibling, first cousin, aunt, uncle, great-aunt, great-uncle,
717 niece, or nephew, whether related by the whole or half blood, by
718 affinity, or by adoption. The term does not include a
719 stepparent.

720 ~~(31)(46)~~ "Reunification services" means social services and
721 other supportive ~~and rehabilitative~~ services provided to the
722 child and the parent of the child, the legal guardian of the
723 child, or the custodian of the child, whichever is applicable,~~†~~
724 ~~the child; and, where appropriate, the foster parents of the~~
725 ~~child~~ for the purpose of assisting ~~enabling~~ a child who has been
726 placed in temporary shelter care to return to his or her family
727 at the most appropriate and effective ~~earliest possible~~ time
728 based on the presenting concerns at intake. Social services and
729 other supportive ~~and rehabilitative~~ services shall be consistent
730 with the child's need for a safe, continuous, and stable living
731 environment and shall promote the strengthening of family life
732 whenever possible.

733 ~~(32)(47)~~ "Secure detention center or facility" means a
734 physically restricting facility for the temporary care of
735 children, pending adjudication, disposition, or placement under



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736 chapter 985.

737 ~~(33)(48)~~ "Shelter" means a department-approved shelter
738 facility for the temporary care of runaway children; children
739 placed for voluntary shelter respite upon request of the child
740 or the child's parent, legal guardian, or custodian; or for
741 placement of a child who has been adjudicated a child in need of
742 services or who has been found in contempt of court under s.
743 984.09. Shelters must provide 24-hour continual supervision a
744 ~~place for the temporary care of a child who is alleged to be or~~
745 ~~who has been found to be dependent, a child from a family in~~
746 ~~need of services, or a child in need of services, pending court~~
747 ~~disposition before or after adjudication or after execution of a~~
748 ~~court order. "Shelter" may include a facility which provides 24-~~
749 ~~hour continual supervision for the temporary care of a child who~~
750 ~~is placed pursuant to s. 984.14.~~

751 ~~(49) "Shelter hearing" means a hearing provided for under~~
752 ~~s. 984.14 in family-in-need-of-services cases or child-in-need-~~
753 ~~of-services cases.~~

754 ~~(50) "Staff secure shelter" means a facility in which a~~
755 ~~child is supervised 24 hours a day by staff members who are~~
756 ~~awake while on duty. The facility is for the temporary care and~~
757 ~~assessment of a child who has been found to be dependent, who~~
758 ~~has violated a court order and been found in contempt of court,~~
759 ~~or whom the Department of Children and Families is unable to~~
760 ~~properly assess or place for assistance within the continuum of~~
761 ~~services provided for dependent children.~~

762 ~~(34)(51)~~ "Substance abuse" means using, without medical
763 reason, any psychoactive or mood-altering drug, including
764 alcohol, in such a manner as to induce impairment resulting in



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765 dysfunctional social behavior.

766 ~~(35)(52)~~ "Taken into custody" means the status of a child
767 immediately when temporary physical control over the child is
768 attained by a person authorized by law, pending the child's
769 release, shelter ~~detention~~, placement, or other disposition as
770 authorized by law.

771 ~~(36)(53)~~ "Temporary legal custody" means the relationship
772 that a juvenile court creates between a child and an adult
773 relative of the child, adult nonrelative approved by the court,
774 or other person until a more permanent arrangement is ordered.
775 Temporary legal custody confers upon the custodian the right to
776 have temporary physical custody of the child and the right and
777 duty to protect, train, and discipline the child and to provide
778 the child with food, shelter, and education, and ordinary
779 medical, dental, psychiatric, and psychological care, unless
780 these rights and duties are otherwise enlarged or limited by the
781 court order establishing the temporary legal custody
782 relationship.

783 ~~(37)(54)~~ "Truancy petition" means a petition filed by the
784 superintendent of schools under s. 984.151 for the purpose of
785 early truancy intervention alleging that a student subject to
786 compulsory school attendance has had at least five unexcused
787 absences, or absences for which the reasons are unknown, within
788 a calendar month or 10 unexcused absences, or absences for which
789 the reasons are unknown, within a 90-calendar-day period, or has
790 had more than 15 unexcused absences in a 90-calendar-day period.
791 ~~A truancy petition is filed and processed under s. 984.151.~~

792 (38) "Truant status offender" means a child subject to the
793 jurisdiction of the court under s. 984.151 who has been found by



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794 the court to be truant while subject to compulsory education.
795 The court's jurisdiction is limited to entering orders to
796 require the child to attend school and participate in services
797 to encourage regular school attendance. A truant status offender
798 is not a delinquent child and may not be deemed to have
799 committed a criminal or delinquent act solely due to failure to
800 attend school.

801 (39)~~(55)~~ "Violation of law" or "delinquent act" means a
802 violation of any law of this state, the United States, or any
803 other state which is a misdemeanor or a felony or a violation of
804 a county or municipal ordinance which would be punishable by
805 incarceration if the violation were committed by an adult.

806 (40) "Voluntary family services" means voluntary services
807 provided by the department or an agency designated by the
808 department to a family that has a child who is running away; who
809 is ungovernable by persistently disobeying reasonable and lawful
810 demands of the parent, legal guardian, or custodian and is
811 beyond the control of the parent, legal guardian, or custodian;
812 or who is a habitual truant or engaging in other serious
813 behaviors that place the child at risk of future abuse, neglect,
814 abandonment, or entering the juvenile justice system. The child
815 must be referred to the Department of Juvenile Justice or an
816 agency designated by the department to provide voluntary
817 services to families and children.

818 Section 5. Section 984.04, Florida Statutes, is amended to
819 read:

820 984.04 Early truancy intervention; families in need of
821 services and children in need of services; procedures and
822 jurisdiction.-



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823 ~~(1) It is the intent of the Legislature to address the~~
824 ~~problems of families in need of services by providing them with~~
825 ~~an array of services designed to preserve the unity and~~
826 ~~integrity of the family and to emphasize parental responsibility~~
827 ~~for the behavior of their children. Services to families in need~~
828 ~~of services and children in need of services shall be provided~~
829 ~~on a continuum of increasing intensity and participation by the~~
830 ~~parent and child. Judicial intervention to resolve the problems~~
831 ~~and conflicts that exist within a family shall be limited to~~
832 ~~situations in which a resolution to the problem or conflict has~~
833 ~~not been achieved through service, treatment, and family~~
834 ~~intervention after all available less restrictive resources have~~
835 ~~been exhausted. In creating this chapter, the Legislature~~
836 ~~recognizes the need to distinguish the problems of truants,~~
837 ~~runaways, and children beyond the control of their parents, and~~
838 ~~the services provided to these children, from the problems and~~
839 ~~services designed to meet the needs of abandoned, abused,~~
840 ~~neglected, and delinquent children. In achieving this~~
841 ~~recognition, it shall be the policy of the state to develop~~
842 ~~short-term, temporary services and programs utilizing the least~~
843 ~~restrictive method for families in need of services and children~~
844 ~~in need of services.~~

845 ~~(1)(2)~~ The department of ~~Juvenile Justice~~ shall be
846 responsible for all nonjudicial proceedings involving voluntary
847 a family in need of services for a family identified as a family
848 in need of services.

849 ~~(3) All nonjudicial procedures in family-in-need-of-~~
850 ~~services cases shall be according to rules established by the~~
851 ~~department of Juvenile Justice under chapter 120.~~



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852 (2)~~(4)~~ The circuit court shall have exclusive original
853 jurisdiction of judicial proceedings involving early truancy
854 intervention. When the jurisdiction of any child found to be
855 truant under s. 984.151 is obtained, the court may retain
856 jurisdiction for up to 180 days. The court must terminate
857 supervision and relinquish jurisdiction if the child has
858 substantially complied with the requirements of early truancy
859 intervention, is no longer subject to compulsory education, or
860 is adjudicated a child in need of services under s. 984.21
861 ~~continued placement of a child from a family in need of services~~
862 ~~in shelter.~~

863 (3)~~(5)~~ The circuit court shall have exclusive original
864 jurisdiction of proceedings in which a child is alleged to be a
865 child in need of services. When the jurisdiction of any child
866 who has been found to be a child in need of services or the
867 parent, custodian, or legal guardian of such a child is
868 obtained, the court shall retain jurisdiction, unless
869 relinquished by its order or unless the department withdraws its
870 petition because the child no longer meets the definition of a
871 child in need of services as defined in s. 984.03, until the
872 child reaches 18 years of age. This subsection does ~~shall~~ not be
873 ~~construed to prevent the exercise of jurisdiction by any other~~
874 ~~court having jurisdiction of the child if the child commits a~~
875 ~~violation of law, is the subject of the dependency provisions~~
876 ~~under this chapter, or is the subject of a pending investigation~~
877 ~~into an allegation or suspicion of abuse, neglect, or~~
878 ~~abandonment.~~

879 (4) Jurisdiction of the circuit court shall attach to the
880 case and parties to proceedings filed under s. 984.15 or under



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881 s. 984.151 when the summons is served upon the child and a
882 parent, legal guardian, or custodian, or when the parties
883 personally appear before the court.

884 (5)(6) All procedures, including petitions, pleadings,
885 subpoenas, summonses, and hearings, in proceedings under this
886 chapter ~~family-in-need-of-services cases and child-in-need-of-~~
887 ~~services cases~~ shall be according to the Florida Rules of
888 Juvenile Procedure unless otherwise provided by law.

889 ~~(7) The department may contract with a provider to provide~~
890 ~~services and programs for families in need of services and~~
891 ~~children in need of services.~~

892 Section 6. Subsections (2) and (4) of section 984.06,
893 Florida Statutes, are amended to read:

894 984.06 Oaths, records, and confidential information.—

895 (2) The court shall make and keep records of all cases
896 brought before it pursuant to this chapter and shall preserve
897 the records ~~pertaining to a child in need of services~~ until 10
898 years after the last entry was made or until the child is 18
899 years of age, whichever date is first reached, and may then
900 destroy them. The court shall make official records, consisting
901 of all petitions and orders filed in a case arising pursuant to
902 this chapter and any other pleadings, certificates, proofs of
903 publication, summonses, warrants, and other writs which are
904 filed in the case.

905 (4) Except as provided in subsection (3), all information
906 obtained pursuant to this chapter in the discharge of official
907 duty by any judge, employee of the court, authorized agent of
908 the department, school employee, district superintendent, school
909 board employee, or law enforcement agent is confidential and may



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910 not be disclosed to anyone other than the authorized personnel
911 of the court, the department and its designees, school or school
912 board personnel, law enforcement agencies, and others entitled
913 under this chapter to receive that information, except upon
914 order of the court.

915 Section 7. Section 984.07, Florida Statutes, is amended to
916 read:

917 984.07 Right to counsel; waiver; appointed counsel;
918 compensation.—

919 (1) When a petition is filed alleging that a child is a
920 child in need of services or if the child is subject to contempt
921 proceedings under s. 984.09, the child must be represented by
922 counsel at each court appearance. The court must appoint counsel
923 unless the child is not indigent and has counsel present to
924 represent the child or the record in that proceeding
925 affirmatively demonstrates by clear and convincing evidence that
926 the child knowingly and intelligently waived the right to
927 counsel after being fully advised by the court of the nature of
928 the proceedings and the dispositional alternatives available to
929 the court. If the child waives counsel at any proceeding, the
930 court shall advise the child with respect to the right to
931 counsel at every subsequent hearing.

932 (2) A child in proceedings under s. 984.151 may have
933 counsel appointed by the court if the court determines it is in
934 the best interest of the child.

935 (3) If the court appoints counsel for a child, and if the
936 child and his or her parents or legal guardians are indigent and
937 unable to employ counsel, the court must appoint an attorney to
938 represent the child under s. 27.511. Determination of indigence



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939 and costs of representation shall be as provided by s. 57.082.
940 Legal counsel representing a child who exercises the right to
941 counsel may provide advice and counsel to the child at any time
942 after appointment.

943 (4) If the parents or legal guardians of an indigent child
944 are not indigent but refuse to employ counsel, the court shall
945 appoint counsel pursuant to s. 27.511 to represent the child
946 until counsel is provided. Costs of representation must be
947 imposed as provided by s. 57.082. Thereafter, the court may not
948 appoint counsel for an indigent child with nonindigent parents
949 or legal guardian but shall order the parents or legal guardian
950 to obtain private counsel.

951 (a) A parent or legal guardian of an indigent child who has
952 been ordered to obtain private counsel for the child and who
953 willfully fails to follow the court order shall be punished by
954 the court in civil contempt proceedings.

955 (b) An indigent child may have counsel appointed pursuant
956 to ss. 27.511 and 57.082 if the parents or legal guardian have
957 willfully refused to obey the court order to obtain counsel for
958 the child and have been punished by civil contempt. Costs of
959 representation must be imposed as provided by s. 57.082.

960 (5) If the court makes a finding that nonindigent parents
961 have made a good faith effort to participate in services and
962 remediate the child's behavior, but despite their good faith
963 efforts, the child's truancy, ungovernable behavior, or runaway
964 behavior has persisted, the court may appoint counsel to
965 represent the child as provided in s. 27.511.

966 (6) If counsel is entitled to receive compensation for
967 representation pursuant to court appointment in a child in need



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968 of services proceeding, such compensation may not exceed \$1,000
969 at the trial level and \$2,500 at the appellate level.

970 (7) This section does not preclude the court from
971 requesting reimbursement of attorney fees and costs from the
972 nonindigent parent or legal guardian.

973 (8) The court may appoint an attorney to represent a parent
974 or legal guardian under this chapter only upon a finding that
975 the parent or legal guardian is indigent pursuant to s. 57.082.
976 If an attorney is appointed, the parent or legal guardian shall
977 be enrolled in a payment plan pursuant to s. 28.246 ~~If counsel~~
978 ~~is entitled to receive compensation for representation pursuant~~
979 ~~to court appointment in a child-in-need-of-services proceeding,~~
980 ~~such compensation shall not exceed \$1,000 at the trial level and~~
981 ~~\$2,500 at the appellate level.~~

982 Section 8. Subsection (1) of section 984.071, Florida
983 Statutes, is amended, and subsection (3) is added to that
984 section, to read:

985 984.071 Resources and information.—

986 (1) ~~The department of Juvenile Justice, in collaboration~~
987 ~~with the Department of Children and Families and the Department~~
988 ~~of Education,~~ shall develop and publish an information guide
989 packet that explains the current process under this chapter for
990 obtaining assistance for a child in need of services or a family
991 in need of services and the community services and resources
992 available to parents ~~of troubled or runaway children.~~ The
993 information guide shall be published in a written format for
994 distribution and shall also be published on the department's
995 website. ~~In preparing the information packet, the Department of~~
996 ~~Juvenile Justice shall work with school district~~



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997 ~~superintendents, juvenile court judges, county sheriffs, and~~
998 ~~other local law enforcement officials in order to ensure that~~
999 ~~the information packet lists services and resources that are~~
1000 ~~currently available within the county in which the packet is~~
1001 ~~distributed.~~ Each information guide ~~packet~~ shall be reviewed
1002 annually and updated as appropriate. The school district shall
1003 distribute this information guide ~~packet~~ to parents of truant
1004 children, and to other parents upon request or as deemed
1005 appropriate by the school district. In addition, the department
1006 ~~of Juvenile Justice~~ shall distribute the information guide
1007 ~~packet~~ to state and local law enforcement agencies. Any law
1008 enforcement officer who has contact with the parent of a child
1009 who is locked out of the home, who is ungovernable, or who runs
1010 away from home shall make the information guide available to the
1011 parent.

1012 (3) The Department of Education and the Department of
1013 Children and Families must each post the department's
1014 information guide on their respective websites.

1015 Section 9. Sections 984.08 and 984.085, Florida Statutes,
1016 are repealed.

1017 Section 10. Section 984.0861, Florida Statutes, is created
1018 to read:

1019 984.0861 Prohibited use of detention.—A child under the
1020 jurisdiction of the court solely pursuant to this chapter may
1021 not be placed in:

1022 (1) Any form of detention care intended for the use of
1023 alleged juvenile delinquents as authorized under chapter 985 for
1024 any purpose.

1025 (2) A secure detention facility authorized for use under



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1026 chapter 985 for any purpose.

1027 (3) Any jail or other similar facility used for the purpose
1028 of detention or confinement of adults for any purpose.

1029 Section 11. Section 984.09, Florida Statutes, is amended to
1030 read:

1031 984.09 Punishment for contempt of court; alternative
1032 sanctions.—

1033 (1) CONTEMPT OF COURT; LEGISLATIVE INTENT.—The court may
1034 punish any child for contempt for interfering with the court or
1035 with court administration, or for violating any provision of
1036 this chapter or order of the court relative thereto. It is the
1037 intent of the Legislature that the court restrict and limit the
1038 use of contempt powers and prohibit the use of detention care
1039 and secure detention facilities as provided in s. 984.0861 with
1040 respect to commitment of a child to a secure facility. A child
1041 who commits direct contempt of court or indirect contempt of a
1042 valid court order may be taken into custody and ordered to serve
1043 an alternative sanction or placed in a shelter ~~secure~~ facility,
1044 as authorized in this section, by order of the court.

1045 (2) PLACEMENT IN A SHELTER ~~SECURE FACILITY~~.—A child
1046 adjudicated as a child in need of services may only be placed in
1047 a shelter ~~secure~~ facility for purposes of punishment for
1048 contempt of court if alternative sanctions are unavailable or
1049 inappropriate, or if the child has already been ordered to serve
1050 an alternative sanction but failed to comply with the sanction.

1051 ~~(a) A delinquent child who has been held in direct or~~
1052 ~~indirect contempt may be placed in a secure detention facility~~
1053 ~~for 5 days for a first offense or 15 days for a second or~~
1054 ~~subsequent offense, or in a secure residential commitment~~



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1055 ~~facility.~~

1056 (a) ~~(b)~~ A child in need of services who has been held in
1057 direct contempt or indirect contempt may be placed, for 5 days
1058 for a first offense or 15 days for a second or subsequent
1059 offense, in a ~~staff-secure~~ shelter operated by or contracted
1060 with the department to provide such services ~~or a staff-secure~~
1061 ~~residential facility solely for children in need of services if~~
1062 ~~such placement is available, or, if such placement is not~~
1063 ~~available, the child may be placed in an appropriate mental~~
1064 ~~health facility or substance abuse facility for assessment. In~~
1065 addition to disposition under this paragraph, a child in need of
1066 services who is held in direct contempt or indirect contempt may
1067 be placed in a physically secure shelter setting as provided
1068 under s. 984.226 if conditions of eligibility are met.

1069 (b) A child subject to proceedings under s. 984.151 who has
1070 been held in direct contempt or indirect contempt may only be
1071 placed, for 5 days for a first offense or 15 days for a second
1072 or subsequent offense, in a shelter operated by or contracted
1073 with the department for such services if a shelter bed is
1074 available. Upon a second or subsequent finding of contempt under
1075 this section, the court must refer the child to the case
1076 staffing committee with a recommendation to file a child in need
1077 of services petition.

1078 (c) Any shelter placement ordered under this section must
1079 be given as a cumulative sanction. Separate sanctions for the
1080 same act or series of acts within the same episode may not be
1081 imposed.

1082 (3) ALTERNATIVE SANCTIONS. ~~Each judicial circuit shall have~~
1083 ~~an alternative sanctions coordinator who shall serve under the~~



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1084 ~~chief administrative judge of the juvenile division of the~~
1085 ~~circuit court, and who shall coordinate and maintain a spectrum~~
1086 ~~of contempt sanction alternatives in conjunction with the~~
1087 ~~circuit plan implemented in accordance with s. 790.22(4)(c).~~
1088 Upon determining that a child has committed direct contempt of
1089 court or indirect contempt of a valid court order, the court may
1090 immediately request the circuit alternative sanctions
1091 coordinator to recommend the most appropriate available
1092 alternative sanction and shall order the child to perform up to
1093 50 hours of community-service ~~manual labor~~ or a similar
1094 alternative sanction, unless an alternative sanction is
1095 unavailable or inappropriate, or unless the child has failed to
1096 comply with a prior alternative sanction. Alternative contempt
1097 sanctions may be provided by local industry or by any nonprofit
1098 organization or any public or private business or service entity
1099 that has entered into a contract with the department ~~of Juvenile~~
1100 ~~Justice~~ to act as an agent of the state to provide voluntary
1101 supervision of children on behalf of the state in exchange for
1102 the ~~manual~~ labor of children and limited immunity in accordance
1103 with s. 768.28(11).

1104 (4) CONTEMPT OF COURT SANCTIONS; PROCEDURE AND DUE
1105 PROCESS.—

1106 (a) If a child subject to proceedings under this chapter is
1107 charged with direct contempt of court, ~~including traffic court,~~
1108 the court may impose an authorized sanction immediately.

1109 (b) If a child subject to proceedings under this chapter is
1110 charged with indirect contempt of court, the court must issue an
1111 order to show cause and schedule ~~hold~~ a hearing ~~within 24 hours~~
1112 to determine whether the child committed indirect contempt of a



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1113 valid court order. The child must be served with the order to
1114 show cause and notice of hearing. At the hearing, the following
1115 due process rights must be provided to the child:

1116 1. Right to a copy of the order to show cause alleging
1117 facts supporting the contempt charge.

1118 2. Right to an explanation of the nature and the
1119 consequences of the proceedings.

1120 3. Right to legal counsel and the right to have legal
1121 counsel appointed by the court if the juvenile is indigent,
1122 pursuant to s. 984.07 ~~s. 985.033~~.

1123 4. Right to confront witnesses.

1124 5. Right to present witnesses.

1125 6. Right to have a transcript or record of the proceeding.

1126 7. Right to appeal to an appropriate court.

1127

1128 The child's parent, legal ~~or~~ guardian, or custodian may address
1129 the court regarding the due process rights of the child. If
1130 after the hearing, the court determines the child has committed
1131 indirect contempt of a valid court order, the court may impose
1132 an alternative sanction or may proceed under subsection (2). If
1133 the court orders shelter placement of a child found in contempt
1134 of court, the court shall review the matter ~~placement of the~~
1135 ~~child~~ every 72 hours to determine whether it is appropriate for
1136 the child to remain in the facility.

1137 (c) The court may not order that a child be placed in a
1138 shelter ~~secure~~ facility for punishment for contempt unless the
1139 court determines that an alternative sanction is inappropriate
1140 or unavailable or that the child was initially ordered to an
1141 alternative sanction and did not comply with the alternative



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1142 sanction. The court is encouraged to order a child to perform
1143 community service, up to the maximum number of hours, where
1144 appropriate before ordering that the child be placed in a
1145 shelter secure facility as punishment for contempt of court.

1146 ~~(d) In addition to any other sanction imposed under this~~
1147 ~~section, the court may direct the Department of Highway Safety~~
1148 ~~and Motor Vehicles to withhold issuance of, or suspend, a~~
1149 ~~child's driver license or driving privilege. The court may order~~
1150 ~~that a child's driver license or driving privilege be withheld~~
1151 ~~or suspended for up to 1 year for a first offense of contempt~~
1152 ~~and up to 2 years for a second or subsequent offense. If the~~
1153 ~~child's driver license or driving privilege is suspended or~~
1154 ~~revoked for any reason at the time the sanction for contempt is~~
1155 ~~imposed, the court shall extend the period of suspension or~~
1156 ~~revocation by the additional period ordered under this~~
1157 ~~paragraph. If the child's driver license is being withheld at~~
1158 ~~the time the sanction for contempt is imposed, the period of~~
1159 ~~suspension or revocation ordered under this paragraph shall~~
1160 ~~begin on the date on which the child is otherwise eligible to~~
1161 ~~drive. For a child in need of services whose driver license or~~
1162 ~~driving privilege is suspended under this paragraph, the court~~
1163 ~~may direct the Department of Highway Safety and Motor Vehicles~~
1164 ~~to issue the child a license for driving privileges restricted~~
1165 ~~to business or employment purposes only, as defined in s.~~
1166 ~~322.271, or for the purpose of completing court-ordered~~
1167 ~~community service, if the child is otherwise qualified for a~~
1168 ~~license. However, the department may not issue a restricted~~
1169 ~~license unless specifically ordered to do so by the court.~~

1170 (5) ALTERNATIVE SANCTIONS COORDINATOR.—There is created the



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1171 position of alternative sanctions coordinator within each
1172 judicial circuit, ~~pursuant to subsection (3)~~. Each alternative
1173 sanctions coordinator shall serve under the direction of the
1174 chief administrative judge of the juvenile division as directed
1175 by the chief judge of the circuit. The alternative sanctions
1176 coordinator shall act as the liaison between the judiciary,
1177 local department officials, district school board employees, and
1178 local law enforcement agencies. The alternative sanctions
1179 coordinator shall coordinate within the circuit community-based
1180 alternative sanctions, including ~~nonsecure detention programs,~~
1181 community service projects, ~~and other juvenile sanctions, in~~
1182 ~~conjunction with the circuit plan implemented in accordance with~~
1183 ~~s. 790.22(4)(c).~~

1184 Section 12. Section 984.10, Florida Statutes, is amended to
1185 read:

1186 984.10 Intake.—

1187 (1) Intake shall be performed by the department or the
1188 department's authorized agent. A report ~~or complaint~~ alleging
1189 that a child is from a family in need of services shall be made
1190 to the intake office operating in the county in which the child
1191 is found or in which the case arose. Any person or agency,
1192 including, but not limited to, the parent, ~~or~~ legal guardian, or
1193 custodian, the local school district, a law enforcement agency,
1194 or the Department of Children and Families, having knowledge of
1195 the facts may make a report ~~or complaint~~.

1196 (2) A representative of the department shall make a
1197 preliminary determination as to whether the report ~~or complaint~~
1198 is complete. The criteria for the completeness of a report ~~or~~
1199 ~~complaint~~ with respect to a child alleged to be from a family in



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1200 need of services while subject to compulsory school attendance
1201 shall be governed by s. 984.03 ~~s. 984.03(27)~~. In any case in
1202 which the representative of the department finds that the report
1203 ~~or complaint~~ is incomplete, the representative of the department
1204 shall return the report ~~or complaint~~ without delay to the person
1205 or agency originating the report ~~or complaint~~ or having
1206 knowledge of the facts or to the appropriate law enforcement
1207 agency having investigative jurisdiction and request additional
1208 information in order to complete the report ~~or complaint~~.

1209 (3) If the representative of the department determines that
1210 in his or her judgment the interests of the family, the child,
1211 and the public will be best served by providing the family and
1212 child services and treatment voluntarily accepted by the child
1213 and the parents, ~~or~~ legal guardians, or custodians, the
1214 department's departmental representative may refer the family or
1215 child to an appropriate service ~~and treatment~~ provider. As part
1216 of the intake procedure, the department's departmental
1217 representative shall inform the parent, ~~or~~ legal custodian
1218 guardian, or custodian, in writing, of the services currently
1219 ~~and treatment~~ available to the child and family by department
1220 providers and other ~~or~~ community agencies in the county in which
1221 the family is located, and the rights and responsibilities of
1222 the parent, ~~or~~ legal guardian, or custodian under this chapter.
1223 Upon admission, and depending on services, a staff member may be
1224 assigned to the family as deemed appropriate.

1225 (4) If the department reasonably believes ~~has reasonable~~
1226 ~~grounds to believe~~ that the child has been abandoned, abused, or
1227 neglected, it shall proceed pursuant to ~~the provisions of~~
1228 chapter 39 and report immediately to the central abuse hotline.



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1229 Section 13. Section 984.11, Florida Statutes, is amended to
1230 read:

1231 984.11 Services to families ~~in need of services.~~

1232 (1) The department or its authorized agent shall provide an
1233 array of voluntary family services aimed at remediating school
1234 truancy, homelessness, and runaway and ungovernable behavior by
1235 children. Services and treatment to families in need of services
1236 shall be by voluntary agreement of the parent, ~~or~~ legal
1237 guardian, or custodian and the child ~~or as directed by a court~~
1238 order pursuant to s. 984.22.

1239 (2) A family is not eligible to receive voluntary family
1240 services, if, at the time of the referral, the child is under
1241 court-ordered supervision by the department for delinquency
1242 under chapter 985 or by the Department of Children and Families
1243 due to a finding of dependency under chapter 39. A child who has
1244 received a prearrest delinquency citation, or is receiving
1245 delinquency diversion services, may receive voluntary family
1246 services.

1247 (3) If there is a pending investigation into an allegation
1248 of abuse, neglect or abandonment, the child may be eligible for
1249 voluntary family services if the Department of Children and
1250 Families agrees to the provision of services and makes a
1251 referral. An interagency agreement between the department and
1252 the Department of Children and Families shall govern this
1253 referral process, which is contingent on available funding. The
1254 department must notify the Department of Children and Families
1255 if a referral is declined.

1256 (4)~~(2)~~ These services may include, but need not be limited
1257 to:



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- 1258 (a) ~~Homemaker~~ or Parent aide services.
- 1259 (b) Intensive crisis counseling.
- 1260 (c) Parent training.
- 1261 (d) Individual, group, or family counseling.
- 1262 (e) Referral to community mental health services.
- 1263 (f) Prevention and diversion services.
- 1264 (g) Services provided by voluntary or community agencies.
- 1265 (h) Runaway center services.
- 1266 (i) Runaway shelter ~~Housekeeper~~ services.
- 1267 (j) Referral for special educational, tutorial, or remedial
1268 services.
- 1269 (k) Referral to vocational, career development ~~job~~
1270 ~~training~~, or employment services.
- 1271 (l) Recreational services.
- 1272 (m) Assessment.
- 1273 (n) Case management.
- 1274 (o) Referral for or provision of substance abuse assessment
1275 or treatment.
- 1276 (5) ~~(3)~~ The department shall advise the parents, ~~or~~ legal
1277 guardian, or custodian that they are responsible for
1278 contributing to the cost of the ~~child or family~~ services and
1279 ~~treatment~~ to the extent of their ability to pay. The parent is
1280 responsible for using health care insurance to the extent it is
1281 available for the provision of health services ~~The department~~
1282 ~~shall set and charge fees for services and treatment provided to~~
1283 ~~clients. The department may employ a collection agency for the~~
1284 ~~purpose of receiving, collecting, and managing the payment of~~
1285 ~~unpaid and delinquent fees. The collection agency must be~~
1286 ~~registered and in good standing under chapter 559. The~~



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1287 ~~department may pay to the collection agency a fee from the~~
1288 ~~amount collected under the claim or may authorize the agency to~~
1289 ~~deduct the fee from the amount collected.~~

1290 ~~(4) The department may file a petition with the circuit~~
1291 ~~court to enforce the collection of fees for services and~~
1292 ~~treatment rendered to the child or the parent and other legal~~
1293 ~~eustodians.~~

1294 Section 14. Section 984.12, Florida Statutes, is amended to
1295 read:

1296 984.12 Case staffing; services and treatment related to a
1297 family in need of services.-

1298 (1) The appropriate representative of the department shall
1299 request a meeting of the family and child with a case staffing
1300 committee to review the case of any family or child who the
1301 department determines is in need of services ~~or treatment~~ if:

1302 (a) The family or child is not in agreement with the
1303 services or treatment offered;

1304 (b) The family or child will not participate in the
1305 services or treatment selected; or

1306 (c) The representative of the department needs assistance
1307 in developing an appropriate plan for services. The time and
1308 place selected for the meeting shall be convenient for the child
1309 and family.

1310 (2) The composition of the case staffing committee shall be
1311 based on the needs of the family and child. It shall include a
1312 representative from the child's school district and a
1313 representative of the department ~~of Juvenile Justice~~, and may
1314 include the department's authorized agent and a supervisor of
1315 the department's contracted provider; a representative from the



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1316 area of health, mental health, substance abuse, or social,~~or~~
1317 ~~educational~~ services; a representative of the state attorney; a
1318 representative of law enforcement ~~the alternative sanctions~~
1319 ~~coordinator~~; and any person recommended by the child, family, or
1320 department. The child and the child's parent, legal guardian, or
1321 custodian must be invited to attend the committee meeting.

1322 (3) The case staffing committee shall:

1323 (a) Identify the family's concerns and contributing
1324 factors.

1325 (b) Request the family and child to identify their needs
1326 and concerns.

1327 (c) Seek input from the school district and any other
1328 persons in attendance with knowledge of the family or child's
1329 situation and concerns.

1330 (d) Consider the voluntary family services or other
1331 community services that have been offered and the results of
1332 those services.

1333 (e) Identify whether truancy is a concern and evaluate
1334 compliance with the remedial strategies provided pursuant to s.
1335 1003.26.

1336 (f) Reach a timely decision to provide the child or family
1337 with needed services and recommend any appropriate and treatment
1338 through the development of a plan for services.

1339 (4) The plan for services shall contain the following:

1340 (a) Statement of the concerns ~~problems~~.

1341 (b) Needs of the child.

1342 (c) Needs of the parents, legal guardian, or ~~legal~~
1343 ~~custodian~~.

1344 (d) Measurable objectives that address the identified



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1345 problems and needs.

1346 (e) Services and treatment to be provided, to include:

1347 1. Type of services or treatment.

1348 2. Frequency of services or treatment.

1349 3. Location.

1350 4. Accountable service providers or staff.

1351 (f) Timeframes for achieving objectives.

1352 (5) Upon receipt of the plan, the child and family shall
1353 acknowledge their position by accepting or rejecting the
1354 services and provisions in writing. If the plan is accepted, it
1355 shall be implemented as soon as is practicable.

1356 (6) The assigned case manager shall have responsibility A
1357 ~~case manager shall be designated by the case staffing committee~~
1358 ~~to be responsible~~ for implementing the plan. The department's
1359 authorized agent case manager shall periodically review the
1360 progress towards achieving the objectives of the plan in order
1361 to:

1362 (a) Advise the case staffing committee of the need to make
1363 adjustments to the plan; ~~or~~

1364 (b) Recommend a child in need of services petition be filed
1365 by the department; or

1366 (c) ~~(b)~~ Terminate the case as indicated by successful or
1367 substantial achievement of the objectives of the plan.

1368 (7) The parent, legal guardian, or ~~legal~~ custodian may
1369 convene a meeting of the case staffing committee, ~~and any other~~
1370 ~~member of the committee may convene a meeting if the member~~
1371 ~~finds that doing so is in the best interest of the family or~~
1372 ~~child.~~ A case staffing committee meeting requested by a parent,
1373 guardian, or legal custodian must be convened within 7 days,



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1374 excluding weekends and legal holidays, after the date the
1375 department's representative receives the request in writing.

1376 (8) Any other member of the committee may convene a meeting
1377 if voluntary family services have been offered and the services
1378 have been rejected by the child or family, or the child has not
1379 made measurable progress toward achieving the service plan
1380 goals, and the member finds that doing so is in the best
1381 interest of the family or child.

1382 (9) A case staffing committee meeting must be convened
1383 within 30 days after the date the case is referred by the court
1384 pursuant to s. 984.151.

1385 (10) ~~(8)~~ Within 7 days after meeting, the case staffing
1386 committee shall provide the parent, legal guardian, or ~~legal~~
1387 custodian with a written report that details the reasons for the
1388 committee's decision to recommend, or decline to recommend, that
1389 the department file a petition alleging that the child is a
1390 child in need of services.

1391 (11) The case staffing committee may reconvene from time to
1392 time as may be necessary to make adjustments to the plan.

1393 Section 15. Section 984.13, Florida Statutes, is amended to
1394 read:

1395 984.13 Taking a child into custody ~~a child alleged to be~~
1396 ~~from a family in need of services or to be a child in need of~~
1397 ~~services.-~~

1398 (1) A child may be taken into custody:

1399 (a) By a law enforcement officer when the officer
1400 reasonably believes ~~has reasonable grounds to believe~~ that the
1401 child has run away from his or her parents, legal guardian, or
1402 ~~other legal~~ custodian.



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1403 (b) By a designated school representative pursuant to s.
1404 1003.26(3) or a law enforcement officer when the officer
1405 reasonably believes ~~has reasonable grounds to believe~~ that the
1406 child is absent from school without authorization or is
1407 suspended or expelled and is not in the presence of his or her
1408 parent, ~~or~~ legal guardian, or custodian, for the purpose of
1409 delivering the child without unreasonable delay to the
1410 appropriate school system site. For the purpose of this
1411 paragraph, "school system site" includes, but is not limited to,
1412 a center approved by the superintendent of schools for the
1413 purpose of counseling students and referring them back to the
1414 school system or an approved alternative to a suspension or
1415 expulsion program. If a student is suspended or expelled from
1416 school without assignment to an alternative school placement,
1417 the law enforcement officer or designated school representative
1418 pursuant to s. 1003.26(3) shall deliver the child to the parent,
1419 ~~or~~ legal guardian, or custodian, to a location determined by the
1420 parent, legal ~~or~~ guardian, or custodian, or to a designated
1421 truancy interdiction site until the parent or guardian can be
1422 located.

1423 (c) Pursuant to an order of the circuit court based upon
1424 sworn testimony ~~before or~~ after a child in need of services
1425 petition is filed under s. 984.15.

1426 (d) Pursuant to an order of the circuit court based upon a
1427 finding of contempt under this chapter for the purpose of
1428 delivering the child to a designated shelter facility.

1429 ~~(e)~~ (d) By a law enforcement officer when the child
1430 voluntarily agrees to or requests services pursuant to this
1431 chapter or placement in a shelter.



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1432 (2) The person taking the child into custody shall:
1433 (a) Release the child to a parent, legal guardian, ~~legal~~
1434 ~~custodian, or responsible adult relative~~ and make a full written
1435 report to the department's authorized agent for families in need
1436 of services within 3 days after release ~~or to a department-~~
1437 ~~approved family in need of services and child in need of~~
1438 ~~services provider~~ if the person taking the child into custody
1439 reasonably believes ~~has reasonable grounds to believe~~ the child
1440 has run away from a parent, legal guardian, or ~~legal~~ custodian;
1441 is truant; or is ungovernable and beyond the control of the
1442 parent, guardian, or legal custodian; ~~following such release,~~
1443 ~~the person taking the child into custody shall make a full~~
1444 ~~written report to the intake office of the department within 3~~
1445 ~~days; or~~
1446 (b) Deliver the child to a shelter when: ~~the department,~~
1447 ~~stating the facts by reason of which the child was taken into~~
1448 ~~eustody and sufficient information to establish probable cause~~
1449 ~~that the child is from a family in need of services.~~
1450 1. The parent, legal guardian, or custodian is unavailable
1451 to take immediate custody of the child;
1452 2. The child requested voluntary family services and
1453 shelter placement;
1454 3. A court order under this chapter for shelter placement
1455 has been issued; or
1456 4. The child and the parent, legal guardian, or custodian
1457 voluntarily agree the child is in need of temporary shelter
1458 placement and such placement is necessary to provide a safe
1459 place for the child to remain until the parents and child can
1460 agree on conditions for the child's safe return home.



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1461 (c) Deliver the child to a hospital for necessary
1462 evaluation and treatment if the child is reasonably believed to
1463 be suffering from a serious physical condition which requires
1464 either prompt diagnosis or treatment.

1465 (d) Deliver the child to a designated public receiving
1466 facility as defined in s. 394.455 for examination under s.
1467 394.463 if the child is reasonably believed to be mentally ill,
1468 including immediate threat of suicide as provided in s.
1469 394.463(1).

1470 (e) Deliver the child to a hospital, addictions receiving
1471 facility, or treatment resource if the child is reasonably
1472 believed to be intoxicated and has threatened, attempted, or
1473 inflicted physical harm on himself or herself or another, or is
1474 incapacitated by substance abuse.

1475 (3) If the child is taken into custody and by, or is
1476 delivered to a shelter, the department, the department's
1477 authorized agent appropriate representative of the department
1478 shall review the facts and make such further inquiry as
1479 necessary to determine whether the child shall remain in
1480 shelter, receive voluntary family services that would allow the
1481 child alleged to be from a family in need of services to remain
1482 at home, custody or be released. Unless shelter is required as
1483 provided in s. 984.14(1), the department shall:

1484 ~~(a) Release the child to his or her parent, guardian, or~~
1485 ~~legal custodian, to a responsible adult relative, to a~~
1486 ~~responsible adult approved by the department, or to a~~
1487 ~~department-approved family-in-need-of-services and child-in-~~
1488 ~~need-of-services provider; or~~

1489 ~~(b) Authorize temporary services and treatment that would~~



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1490 ~~allow the child alleged to be from a family in need of services~~
1491 ~~to remain at home.~~

1492 Section 16. Section 984.14, Florida Statutes, is amended to
1493 read:

1494 984.14 Voluntary shelter services placement; hearing.-

1495 (1) Temporary voluntary shelter services provided by the
1496 department shall provide a safe environment with 24-hour care
1497 and supervision, referrals for services as needed, and education
1498 at the center or offsite and counseling services for children.

1499 ~~Unless ordered by the court pursuant to the provisions of this~~
1500 ~~chapter, or upon voluntary consent to placement by the child and~~
1501 ~~the child's parent, legal guardian, or custodian, a child taken~~
1502 ~~into custody shall not be placed in a shelter prior to a court~~
1503 ~~hearing unless a determination has been made that the provision~~
1504 ~~of appropriate and available services will not eliminate the~~
1505 ~~need for placement and that such placement is required:~~

1506 ~~(a) To provide an opportunity for the child and family to~~
1507 ~~agree upon conditions for the child's return home, when~~
1508 ~~immediate placement in the home would result in a substantial~~
1509 ~~likelihood that the child and family would not reach an~~
1510 ~~agreement; or~~

1511 ~~(b) Because a parent, custodian, or guardian is unavailable~~
1512 ~~to take immediate custody of the child.~~

1513 (2) If a child is sheltered due to being a runaway, or a
1514 parent, legal guardian, or custodian is unavailable, the shelter
1515 shall immediately attempt to make contact with the parent, legal
1516 guardian, or custodian to advise the family of the child's
1517 whereabouts, determine whether the child can safely return home,
1518 or determine whether the family is seeking temporary voluntary



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1519 shelter services until they can arrange to take the child home.
1520 If the parent, legal guardian, or custodian cannot be located
1521 within 24 hours, the Department of Children and Families shall
1522 be contacted to assume custody of the child ~~If the department~~
1523 ~~determines that placement in a shelter is necessary according to~~
1524 ~~the provisions of subsection (1), the departmental~~
1525 ~~representative shall authorize placement of the child in a~~
1526 ~~shelter provided by the community specifically for runaways and~~
1527 ~~troubled youth who are children in need of services or members~~
1528 ~~of families in need of services and shall immediately notify the~~
1529 ~~parents or legal custodians that the child was taken into~~
1530 ~~eustody.~~

1531 ~~(3) A child who is involuntarily placed in a shelter shall~~
1532 ~~be given a shelter hearing within 24 hours after being taken~~
1533 ~~into custody to determine whether shelter placement is required.~~
1534 ~~The shelter petition filed with the court shall address each~~
1535 ~~condition required to be determined in subsection (1).~~

1536 ~~(4) A child may not be held involuntarily in a shelter~~
1537 ~~longer than 24 hours unless an order so directing is made by the~~
1538 ~~court after a shelter hearing finding that placement in a~~
1539 ~~shelter is necessary based on the criteria in subsection (1) and~~
1540 ~~that the department has made reasonable efforts to prevent or~~
1541 ~~eliminate the need for removal of the child from the home.~~

1542 ~~(5) Except as provided under s. 984.225, a child in need of~~
1543 ~~services or a child from a family in need of services may not be~~
1544 ~~placed in a shelter for longer than 35 days.~~

1545 ~~(6) When any child is placed in a shelter pursuant to court~~
1546 ~~order following a shelter hearing, the court shall order the~~
1547 ~~natural or adoptive parents of such child, the natural father of~~



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1548 ~~such child born out of wedlock who has acknowledged his~~
1549 ~~paternity in writing before the court, or the guardian of such~~
1550 ~~child's estate, if possessed of assets which under law may be~~
1551 ~~disbursed for the care, support, and maintenance of the child,~~
1552 ~~to pay, to the department, fees as established by the~~
1553 ~~department. When the order affects the guardianship estate, a~~
1554 ~~certified copy of the order shall be delivered to the judge~~
1555 ~~having jurisdiction of the guardianship estate.~~

1556 ~~(7) A child who is adjudicated a child in need of services~~
1557 ~~or alleged to be from a family in need of services or a child in~~
1558 ~~need of services may not be placed in a secure detention~~
1559 ~~facility or jail or any other commitment program for delinquent~~
1560 ~~children under any circumstances.~~

1561 ~~(8) The court may order the placement of a child in need of~~
1562 ~~services into a staff-secure facility for no longer than 5 days~~
1563 ~~for the purpose of evaluation and assessment.~~

1564 Section 17. Section 984.15, Florida Statutes, is amended to
1565 read:

1566 984.15 Petition for a child in need of services.-

1567 (1) All proceedings seeking an adjudication that a child is
1568 a child in need of services shall be initiated by the filing of
1569 a petition by an attorney representing the department or by the
1570 child's parent, legal guardian, or ~~legal~~ custodian. ~~If a child~~
1571 ~~in need of services has been placed in a shelter pursuant to s.~~
1572 ~~984.14, the department shall file the petition immediately,~~
1573 ~~including in the petition notice of arraignment pursuant to s.~~
1574 ~~984.20.~~

1575 (2) (a) The department shall file a petition for a child in
1576 need of services if the child meets the definition of a child in



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1577 need of services, and the case ~~manager or~~ staffing committee
1578 recommends requests that a petition be filed and:

1579 1. The family and child have in good faith, but
1580 unsuccessfully, used the services and process described in ss.
1581 984.11 and 984.12; or

1582 2. The family or child have refused ~~all~~ services described
1583 in ss. 984.11 and 984.12 after reasonable efforts by the
1584 department to involve the family and child in voluntary family
1585 services and treatment.

1586 (b) Once the requirements in paragraph (a) have been met,
1587 the department shall file a petition for a child in need of
1588 services as soon as practicable ~~within 45 days~~.

1589 (c) The petition shall be in writing, shall state the
1590 specific grounds ~~under s. 984.03(9)~~ by which the child is
1591 designated a child in need of services, and shall certify that
1592 the conditions prescribed in paragraph (a) have been met. The
1593 petition shall be signed by the petitioner under oath stating
1594 good faith in filing the petition and shall be signed by an
1595 attorney for the department.

1596 (3) (a) The parent, legal guardian, or ~~legal~~ custodian may
1597 file a petition alleging that a child is a child in need of
1598 services if:

1599 1. The department waives the requirement for a case
1600 staffing committee.

1601 2. The department fails to convene a meeting of the case
1602 staffing committee within 7 days, excluding weekends and legal
1603 holidays, after receiving a written request for such a meeting
1604 from the child's parent, legal guardian, or ~~legal~~ custodian.

1605 3. The parent, legal guardian, or ~~legal~~ custodian does not



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1606 agree with the plan for services offered by the case staffing
1607 committee.

1608 4. The department fails to provide a written report within
1609 7 days after the case staffing committee meets, as required
1610 under s. 984.12(10) ~~s. 984.12(8)~~.

1611 (b) The parent, legal guardian, or ~~legal~~ custodian must
1612 give the department prior written notice of intent to file the
1613 petition. If, at the arraignment hearing, the court finds that
1614 such written notice of intent to file the petition was not
1615 provided to the department, the court shall dismiss the
1616 petition, postpone the hearing until such written notice is
1617 given, or, if the department agrees, proceed with the
1618 arraignment hearing. The petition must be served on the
1619 department's office of general counsel.

1620 (c) The petition must be in writing and must set forth
1621 specific facts alleging that the child is a child in need of
1622 services ~~as defined in s. 984.03(9)~~. The petition must also
1623 demonstrate that the parent, legal guardian, or ~~legal~~ custodian
1624 has in good faith, but unsuccessfully, participated in the
1625 services and processes described in ss. 984.11 and 984.12.

1626 ~~(4)(d)~~ (4) The petition must be signed by the petitioner under
1627 oath.

1628 ~~(5)(e)~~ (5) The court, on its own motion or the motion of any
1629 party or the department, shall determine the legal sufficiency
1630 of a petition filed under this subsection and may dismiss any
1631 petition that lacks sufficient grounds. In addition, the court
1632 shall verify that the child is not:

1633 ~~(a)1-~~ (a)1- The subject of a pending investigation into an
1634 allegation or suspicion of abuse, neglect, or abandonment;



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1635 ~~(b)2.~~ The subject of a pending petition ~~referral~~ alleging
1636 that the child is delinquent; or

1637 ~~(c)3.~~ Under the current supervision of the department or
1638 the Department of Children and Families for an adjudication or
1639 withholding of adjudication of delinquency or dependency.

1640 ~~(6)4.~~ The form of the petition and any additional contents
1641 shall be determined by rules of procedure adopted by the Supreme
1642 Court.

1643 ~~(7)5.~~ The petitioner ~~department or the parent, guardian,~~
1644 ~~or legal custodian~~ may withdraw a petition at any time before
1645 ~~prior to~~ the child is ~~being~~ adjudicated a child in need of
1646 services.

1647 Section 18. Section 984.151, Florida Statutes, is amended
1648 to read:

1649 984.151 Early truancy intervention; truancy petition;
1650 judgment ~~prosecution; disposition.~~—

1651 (1) If the school determines that a student subject to
1652 compulsory school attendance has had at least five unexcused
1653 absences, or absences for which the reasons are unknown, within
1654 a calendar month or 10 unexcused absences, or absences for which
1655 the reasons are unknown, within a 90-calendar-day period
1656 pursuant to s. 1003.26(1)(b), or has had more than 15 unexcused
1657 absences in a 90-calendar-day period, the superintendent of
1658 schools or his or her designee may file a truancy petition
1659 seeking early truancy intervention.

1660 (2) The petition shall be filed in the circuit in which the
1661 student is enrolled in school.

1662 (3) Original jurisdiction to hear a truancy petition shall
1663 be in the circuit court; however, the circuit court may use a



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1664 general or special magistrate ~~master~~ pursuant to Supreme Court
1665 rules. Upon the filing of the petition, the clerk shall issue a
1666 summons to the parent, legal guardian, or ~~legal~~ custodian of the
1667 student, directing that person and the student to appear for a
1668 hearing at a time and place specified.

1669 (4) The petition must contain the following: the name, age,
1670 and address of the student; the name and address of the
1671 student's parent or guardian; the school where the student is
1672 enrolled; the efforts the school has made to get the student to
1673 attend school in compliance with s. 1003.26; the number of out-
1674 of-school contacts between the school system and student's
1675 parent or guardian; and the number of days and dates of days the
1676 student has missed school. The petition shall be sworn to by the
1677 superintendent or his or her designee.

1678 (5) Once the petition is filed, the court shall hear the
1679 petition within 30 days.

1680 (6) The student and the student's parent or guardian shall
1681 attend the hearing.

1682 (7) If the court determines that the student did miss any
1683 of the alleged days, the court shall enter an order finding the
1684 child to be a truant status offender and the court shall order
1685 the student to attend school and order the parent, legal
1686 guardian, or custodian to ensure that the student attends
1687 school. The court's power under this subsection is limited to
1688 entering orders to require the student to attend school and
1689 require the student and family to participate in services to
1690 encourage regular school attendance. The court, ~~and~~ may order
1691 any of the following services:

1692 (a) The student to participate in ~~alternative sanctions to~~



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1693 ~~include mandatory attendance at alternative classes; to be~~
1694 ~~followed by mandatory community services hours for a period up~~
1695 ~~to 6 months; the student and~~

1696 (b) The student's parent, legal or guardian, or custodian
1697 to participate in parenting classes homemaker or parent aide
1698 services;

1699 (c) The student or the student's parent, legal or guardian
1700 or custodian to participate in individual, group, or family
1701 intensive crisis counseling;

1702 (d) The student or the student's parent, legal or guardian
1703 or custodian to participate in community mental health services
1704 or substance abuse treatment services if available and
1705 applicable;

1706 (e) The student and the student's parent, legal or
1707 guardian, or custodian to participate in services service
1708 provided by state or community voluntary or community agencies,
1709 if appropriate as available, including services for families in
1710 need of services as provided in s. 984.11;

1711 (f) The student and the student's parent, legal guardian,
1712 or custodian to attend meetings with school officials to address
1713 the child's educational needs, classroom assignment, class
1714 schedule, and other barriers to school attendance identified by
1715 the child's school, the child or his or her family;

1716 (g) The student and the student's parent, legal guardian,
1717 or custodian to engage in learning activities provided by the
1718 school board as to why education is important and the potential
1719 impact on the child's future employment and education options if
1720 the attendance problem persists; or

1721 (h) and The student or the student's parent, legal or



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1722 guardian, or custodian to participate in vocational or job
1723 training, ~~or employment services~~.

1724 (8) If the student does not substantially comply with
1725 compulsory school attendance and court-ordered services required
1726 under successfully complete the sanctions ordered in subsection
1727 (7), and the child meets the definition of a child in need of
1728 services, the case shall be referred by the court to the
1729 department's authorized agent for review by the case staffing
1730 committee under s. 984.12 with a recommendation to file a
1731 petition for child in need of services ~~child in need of services~~
1732 ~~petition~~ under s. 984.15. The court shall review the case not
1733 less than every 45 days to determine whether the child is in
1734 substantial compliance with compulsory education or if the case
1735 should be referred to the case staffing committee in accord with
1736 this subsection.

1737 (9) If the student substantially complies with compulsory
1738 school attendance the court shall close the truancy case.

1739 (10) If the child is adjudicated a child in need of
1740 services pursuant to s. 984.21, the truancy case shall be closed
1741 and jurisdiction relinquished in accordance with s. 984.04.

1742 (11) The court may retain jurisdiction of any case in which
1743 the child is noncompliant with compulsory education and the
1744 child does not meet the definition of a child in need of
1745 services under this chapter until jurisdiction lapses pursuant
1746 to s. 984.04.

1747 (12) The court may not order a child placed in shelter
1748 pursuant to this section unless the court has found the child to
1749 be in contempt for violation of a court order under s. 984.09.

1750 (13) ~~(9)~~ The parent, legal guardian, or ~~legal~~ custodian and



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1751 the student shall participate, as required by court order, in
1752 any sanctions or services required by the court under this
1753 section, and the court shall enforce such participation through
1754 its contempt power.

1755 (14) Any truant student that meets the definition of a
1756 child in need of services and who has been found in contempt for
1757 violation of a court order under s. 984.09 two or more times
1758 shall be referred to the case staffing committee under s. 984.12
1759 with a recommendation to file a petition for a child in need of
1760 services.

1761 (15) The clerk of court must serve any court order
1762 referring the case to voluntary family services or the case
1763 staffing committee to the department's office of general counsel
1764 and to the department's authorized agent.

1765 Section 19. Subsections (3) and (5) of section 984.16,
1766 Florida Statutes, are amended, and subsection (11) is added to
1767 that section, to read:

1768 984.16 Process and service for child in need of services
1769 petitions.-

1770 (3) The summons shall require the person on whom it is
1771 served to appear for a hearing at a time, and place, and manner
1772 specified. ~~Except in cases of medical emergency, the time shall~~
1773 ~~not be less than 24 hours after service of the summons.~~ The
1774 summons must ~~may~~ require the custodian to bring the child to
1775 court if the court determines that the child's presence is
1776 necessary. A copy of the petition shall be attached to the
1777 summons.

1778 (5) The jurisdiction of the court shall attach to the child
1779 and the parent, legal guardian, or custodian, ~~or legal guardian~~



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1780 of the child and the case when the summons is served upon the
1781 child or a parent, ~~or~~ legal guardian, or ~~actual~~ custodian of the
1782 child; ~~or~~ when the child is taken into custody with or without
1783 service of summons and after filing of a petition for a child in
1784 need of services; or when a party personally appears before the
1785 court whichever occurs first, and thereafter the court may
1786 control the child and case in accordance with this chapter.

1787 (11) If a court takes action that directly involves a
1788 student's school, including, but not limited to, an order that a
1789 student attend school, attend school with his or her parent,
1790 requiring the parent to participate in meetings, including
1791 parent-teacher conferences, Section 504 plan meetings or
1792 individualized education plan meetings to address the student's
1793 disability, the office of the clerk of the court shall provide
1794 notice to the school of the court's order.

1795 Section 20. Section 984.17, Florida Statutes, is amended to
1796 read:

1797 984.17 Response to petition and representation of parties.-

1798 (1) At the time a child in need of services petition is
1799 filed, the court may appoint a guardian ad litem for the child.

1800 (2) No answer to the petition or any other pleading need be
1801 filed by any child, parent, ~~or~~ legal guardian, or custodian, but
1802 any matters which might be set forth in an answer or other
1803 pleading may be pleaded orally before the court or filed in
1804 writing as any such person may choose. Notwithstanding the
1805 filing of an answer or any pleading, the child and ~~or~~ parent,
1806 legal guardian, or custodian shall, before ~~prior to~~ an
1807 adjudicatory hearing, be advised by the court of the right to
1808 counsel.



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1809 (3) When a petition for a child in need of services has
1810 been filed and the parents, legal guardian, or ~~legal~~ custodian
1811 of the child and the child have advised the department that the
1812 truth of the allegations is acknowledged and that no contest is
1813 to be made of the adjudication, the attorney representing the
1814 department may set the case before the court for a disposition
1815 hearing. If there is a change in the plea at this hearing, the
1816 court shall continue the hearing to permit the attorney
1817 representing the department to prepare and present the case.

1818 (4) An attorney representing the department shall represent
1819 the state in any proceeding in which the petition alleges that a
1820 child is a child in need of services ~~and in which a party denies~~
1821 ~~the allegations of the petition and contests the adjudication.~~

1822 Section 21. Section 984.18, Florida Statutes, is repealed.

1823 Section 22. Section 984.19, Florida Statutes, is amended to
1824 read:

1825 984.19 Medical screening and treatment of child;
1826 examination of parent, legal guardian, or person requesting
1827 custody.—

1828 (1) When any child is to be placed in shelter care, the
1829 department or its authorized agent may ~~is authorized to~~ have a
1830 medical screening provided for ~~performed on~~ the child without
1831 authorization from the court and without consent from a parent,
1832 legal ~~or~~ guardian, or custodian. Such medical screening shall be
1833 provided ~~performed~~ by a licensed health care professional and
1834 shall be to screen ~~examine~~ the child for injury, illness, and
1835 communicable diseases. In no case does this subsection authorize
1836 the department to consent to medical treatment for such
1837 children.



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1838 (2) When ~~the department has performed~~ the medical screening
1839 authorized by subsection (1) or when it is otherwise determined
1840 by a licensed health care professional that a child is in need
1841 of medical treatment, consent for medical treatment shall be
1842 obtained in the following manner:

1843 (a)1. Consent to medical treatment shall be obtained from a
1844 parent, legal ~~or~~ guardian, or custodian of the child; or

1845 2. A court order for such treatment shall be obtained.

1846 (b) If a parent, legal ~~or~~ guardian, or custodian of the
1847 child is unavailable and his or her whereabouts cannot be
1848 reasonably ascertained, and it is after normal working hours so
1849 that a court order cannot reasonably be obtained, an authorized
1850 agent of the department or its provider has the authority to
1851 consent to necessary medical treatment for the child. The
1852 authority of the department to consent to medical treatment in
1853 this circumstance is limited to the time reasonably necessary to
1854 obtain court authorization.

1855 (c) If a parent, legal ~~or~~ guardian, or custodian of the
1856 child is available but refuses to consent to the necessary
1857 treatment, a court order is required, unless the situation meets
1858 the definition of an emergency in s. 743.064 or the treatment
1859 needed is related to suspected abuse or neglect of the child by
1860 the parent or guardian. In such case, the department's
1861 authorized agent may ~~department has the authority to~~ consent to
1862 necessary medical treatment. This authority is limited to the
1863 time reasonably necessary to obtain court authorization.

1864

1865 In no case may the department consent to sterilization,
1866 abortion, or termination of life support.



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1867 (3) A judge may order that a child alleged to be or
1868 adjudicated a child in need of services be examined by a
1869 licensed health care professional. The judge may also order such
1870 child to be evaluated by a psychiatrist or a psychologist, by a
1871 district school board educational needs assessment team, or, if
1872 a developmental disability is suspected or alleged, by the
1873 developmental disability diagnostic and evaluation team of the
1874 Department of Children and Families or Agency for Persons with
1875 Disabilities. The judge may order a family assessment if that
1876 assessment was not completed at an earlier time. If it is
1877 necessary to place a child in a residential facility for such
1878 evaluation, then the criteria and procedure established in s.
1879 394.463(2) or chapter 393 shall be used, whichever is
1880 applicable. The educational needs assessment provided by the
1881 district school board educational needs assessment team shall
1882 include, but not be limited to, reports of intelligence and
1883 achievement tests, screening for learning disabilities and other
1884 handicaps, and screening for the need for alternative education
1885 pursuant to s. 1003.53.

1886 (4) A judge may order that a child alleged to be or
1887 adjudicated a child in need of services be treated by a licensed
1888 health care professional. The judge may also order such child to
1889 receive mental health or intellectual disability services from a
1890 psychiatrist, psychologist, or other appropriate service
1891 provider. If it is necessary to place the child in a residential
1892 facility for such services, the procedures and criteria
1893 established in s. 394.467 or chapter 393 shall be used, as
1894 applicable. A child may be provided services in emergency
1895 situations pursuant to the procedures and criteria contained in



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1896 s. 394.463(1) or chapter 393, as applicable.

1897 (5) When there are indications of physical injury or
1898 illness, a licensed health care professional shall be
1899 immediately contacted ~~called~~ or the child shall be taken to the
1900 nearest available hospital for emergency care.

1901 (6) Except as otherwise provided herein, ~~nothing in this~~
1902 section does not ~~shall be deemed to~~ eliminate the right of a
1903 parent, legal a guardian, or custodian, or the child to consent
1904 to examination or treatment for the child.

1905 (7) Except as otherwise provided herein, ~~nothing in this~~
1906 section does not ~~shall be deemed to~~ alter the provisions of s.
1907 743.064.

1908 (8) A court may order ~~shall not be precluded from ordering~~
1909 services or treatment to be provided to the child by a duly
1910 accredited practitioner who relies solely on spiritual means for
1911 healing in accordance with the tenets and practices of a church
1912 or religious organization, when required by the child's health
1913 and when requested by the child.

1914 (9) ~~Nothing in~~ This section does not ~~shall be construed to~~
1915 authorize the permanent sterilization of the child, unless such
1916 sterilization is the result of or incidental to medically
1917 necessary treatment to protect or preserve the life of the
1918 child.

1919 (10) For the purpose of obtaining an evaluation or
1920 examination or receiving treatment as authorized pursuant to
1921 this section, no child ~~alleged to be or found to be a child from~~
1922 ~~a family in need of services or a child in need of services~~
1923 shall be placed in a detention facility or other program used
1924 primarily for the care and custody of children alleged or found



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1925 to have committed delinquent acts.

1926 (11) The parents, legal guardian, or custodian ~~guardian~~ of
1927 a child alleged to be or adjudicated a child in need of services
1928 remain financially responsible for the cost of medical treatment
1929 provided to the child even if one or both of the parents or if
1930 the legal guardian, or custodian did not consent to the medical
1931 treatment. After a hearing, the court may order the parents,
1932 legal ~~or~~ guardian, or custodian, if found able to do so, to
1933 reimburse the department or other provider of medical services
1934 for treatment provided.

1935 (12) A judge may order a child under its jurisdiction to
1936 submit to substance abuse evaluation, testing, and treatment in
1937 accordance with s. 397.706 ~~Nothing in this section alters the~~
1938 ~~authority of the department to consent to medical treatment for~~
1939 ~~a child who has been committed to the department pursuant to s.~~
1940 ~~984.22(3) and of whom the department has become the legal~~
1941 ~~eustodian.~~

1942 (13) At any time after the filing of a petition for a child
1943 in need of services, when the mental or physical condition,
1944 including the blood group, of a parent, guardian, or other
1945 person requesting custody of a child is in controversy, the
1946 court may order the person to submit to a physical or mental
1947 examination by a qualified professional. The order may be made
1948 only upon good cause shown and pursuant to notice and procedures
1949 as set forth by the Florida Rules of Juvenile Procedure.

1950 Section 23. Section 984.20, Florida Statutes, is amended to
1951 read:

1952 984.20 Hearings for child in need of services ~~child in~~
1953 ~~need-of-services~~ cases.-



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1954 (1) ARRAIGNMENT HEARING.—
1955 (a) The clerk shall set a date for an arraignment hearing
1956 within a reasonable time after the date of the filing of the
1957 child in need of services petition. The court shall advise the
1958 child and the parent, legal guardian, or custodian of the right
1959 to counsel as provided in s. 984.07. ~~When a child has been taken~~
1960 ~~into custody by order of the court, an arraignment hearing shall~~
1961 ~~be held within 7 days after the date the child is taken into~~
1962 ~~eustody.~~ The hearing shall be held for the child and the parent,
1963 legal guardian, or custodian to admit, deny, or consent to
1964 findings that a child is in need of services as alleged in the
1965 petition. If the child and the parent, legal guardian, or
1966 custodian admit or consent to the findings in the petition, the
1967 court shall adjudicate the child a child in need of services and
1968 proceed as set forth in the Florida Rules of Juvenile Procedure.
1969 However, if either the child or the parent, legal guardian, or
1970 custodian denies any of the allegations of the petition, the
1971 court shall hold an adjudicatory hearing within a reasonable
1972 time after the date of the arraignment hearing ~~7 days after the~~
1973 ~~date of the arraignment hearing.~~
1974 (b) The court may grant a continuance of the arraignment
1975 hearing ~~When a child is in the custody of the parent, guardian,~~
1976 ~~or custodian, upon the filing of a petition, the clerk shall set~~
1977 ~~a date for an arraignment hearing within a reasonable time from~~
1978 ~~the date of the filing of the petition. if the child or and the~~
1979 ~~parent, legal guardian, or custodian request a continuance to~~
1980 ~~obtain an attorney. The case shall be rescheduled for an~~
1981 ~~arraignment hearing within a reasonable period of time to allow~~
1982 ~~for consultation admit or consent to an adjudication, the court~~



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1983 ~~shall proceed as set forth in the Florida Rules of Juvenile~~
1984 ~~Procedure. However, if either the child or the parent, guardian,~~
1985 ~~or custodian denies any of the allegations of child in need of~~
1986 ~~services, the court shall hold an adjudicatory hearing within a~~
1987 ~~reasonable time from the date of the arraignment hearing.~~

1988 (c) If at the arraignment hearing the child and the parent,
1989 legal guardian, or custodian consents or admits to the
1990 allegations in the petition and the court determines that the
1991 petition meets the requirements of s. 984.15(5) ~~s. 984.15(3)(e)~~,
1992 the court shall proceed to hold a disposition hearing at the
1993 earliest practicable time that will allow for the completion of
1994 a predisposition study.

1995 (d) Failure of a person served with notice to appear at the
1996 arraignment hearing constitutes the person's consent to the
1997 adjudication of the child as a child in need of services. The
1998 document containing the notice to respond or appear must
1999 contain, in type as large as the balance of the document, the
2000 following or substantially similar language:

2001
2002 FAILURE TO APPEAR AT THE ARRAIGNMENT HEARING
2003 CONSTITUTES CONSENT TO THE ADJUDICATION OF THIS CHILD
2004 AS A CHILD IN NEED OF SERVICES AND MAY RESULT IN THE
2005 COURT ENTERING AN ORDER OF DISPOSITION AND PLACING THE
2006 CHILD INTO SHELTER.

2007
2008 If a person appears for the arraignment hearing and the court
2009 orders that person to appear, either physically or through
2010 audio-video communication technology, at the adjudicatory
2011 hearing for the child in need of services case, stating the



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2012 date, time, place, and, if applicable, the instructions for
2013 appearance through audio-video communication technology, of the
2014 adjudicatory hearing, that person's failure to appear for the
2015 scheduled adjudicatory hearing constitutes consent to
2016 adjudication of the child as a child in need of services.

2017 (2) ADJUDICATORY HEARING.—

2018 (a) The adjudicatory hearing shall be held as soon as
2019 practicable after the petition for a child in need of services
2020 is filed and in accordance with the Florida Rules of Juvenile
2021 Procedure, but reasonable delay for the purpose of
2022 investigation, discovery, or procuring counsel or witnesses
2023 shall, whenever practicable, be granted. ~~If the child is in~~
2024 ~~custody, the adjudicatory hearing shall be held within 14 days~~
2025 ~~after the date the child was taken into custody.~~

2026 (b) Adjudicatory hearings shall be conducted by the judge
2027 without a jury, applying the rules of evidence in use in civil
2028 cases and adjourning the hearings from time to time as
2029 necessary. In an adjudicatory a hearing ~~on a petition in which~~
2030 ~~it is alleged that the child is a child in need of services,~~ a
2031 preponderance of evidence shall be required to establish that
2032 the child is in need of services. If the court finds the
2033 allegations are proven by a preponderance of evidence and the
2034 child is a child in need of services, the court shall enter an
2035 order of adjudication.

2036 (c) All hearings, except as hereinafter provided, shall be
2037 open to the public, and no person shall be excluded therefrom
2038 except on special order of the judge who, in his or her
2039 discretion, may close any hearing to the public when the public
2040 interest or the welfare of the child, in his or her opinion, is



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2041 best served by so doing. Hearings involving more than one child
2042 may be held simultaneously when the several children involved
2043 are related to each other or were involved in the same case. The
2044 child and the parent, legal guardian, or custodian of the child
2045 may be examined separately and apart from each other.

2046 (3) DISPOSITION HEARING.—

2047 (a) At the disposition hearing, ~~if the court finds that the~~
2048 ~~facts alleged in the petition of a child in need of services~~
2049 ~~were proven in the adjudicatory hearing,~~ the court shall receive
2050 and consider a predisposition study, which shall be in writing
2051 and be presented by an authorized agent of the department or its
2052 provider.

2053 ~~(a)~~ The predisposition study shall cover:

2054 1. All treatment and services that the parent, legal
2055 guardian, or custodian and child received.

2056 2. The love, affection, and other emotional ties existing
2057 between the family ~~parents~~ and the child.

2058 3. The capacity and disposition of the parents, legal
2059 guardian, or custodian to provide the child with food, clothing,
2060 medical care or other remedial care recognized and permitted
2061 under the laws of this state in lieu of medical care, and other
2062 material needs.

2063 4. The length of time that the child has lived in a stable,
2064 satisfactory environment and the desirability of maintaining
2065 continuity.

2066 5. The permanence, as a family unit, of the existing or
2067 proposed custodial home.

2068 6. The moral fitness of the parents, legal guardian, or
2069 custodian.



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- 2070 7. The mental and physical health of the family.
- 2071 8. The home, school, and community record of the child.
- 2072 9. The reasonable preference of the child, if the court
2073 deems the child to be of sufficient intelligence, understanding,
2074 and experience to express a preference.
- 2075 10. Any other factor considered by the court to be
2076 relevant.
- 2077 (b) The predisposition study also shall provide the court
2078 with documentation regarding:
- 2079 1. The availability of appropriate prevention, services,
2080 and treatment for the parent, legal guardian, custodian, and
2081 child to prevent the removal of the child from the home or to
2082 reunify the child with the parent, legal guardian, or custodian
2083 after removal or to reconcile the problems between the family
2084 ~~parent, guardian, or custodian~~ and the child.‡
- 2085 2. The inappropriateness of other prevention, treatment,
2086 and services that were available.‡
- 2087 3. The efforts by the department to prevent shelter out-of-
2088 ~~home~~ placement of the child or, when applicable, to reunify the
2089 parent, legal guardian, or custodian if appropriate services
2090 were available.‡
- 2091 4. Whether voluntary family ~~the~~ services were provided.‡
- 2092 5. If the voluntary family services and treatment were
2093 provided, whether they were sufficient to meet the needs of the
2094 child and the family and to enable the child to remain at home
2095 or to be returned home.‡
- 2096 6. If the voluntary family services and treatment were not
2097 provided, the reasons for such lack of provision.‡~~and~~
- 2098 7. The need for, or appropriateness of, continuing such



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2099 treatment and services if the child remains in the custody of
2100 the parent, legal guardian, or custodian or if the child is
2101 placed outside the home.

2102 (c) If placement of the child with anyone other than the
2103 child's parent, guardian, or custodian is being considered, the
2104 study shall include the designation of a specific length of time
2105 as to when custody by the parent, guardian, or custodian shall
2106 be reconsidered.

2107 (d) A copy of this predisposition study shall be furnished
2108 to the person having custody of the child at the time such
2109 person is notified of the disposition hearing.

2110 (e) After review of the predisposition study and other
2111 relevant materials, the court shall hear from the parties and
2112 consider all recommendations for court-ordered services,
2113 evaluations, treatment and required actions designed to remedy
2114 the child's truancy, ungovernable behavior, or running away. The
2115 court shall enter an order of disposition.

2116
2117 Any other relevant and material evidence, including other
2118 written or oral reports, may be received by the court in its
2119 effort to determine the action to be taken with regard to the
2120 child and may be relied upon to the extent of its probative
2121 value, even though not competent in an adjudicatory hearing.
2122 Except as provided in paragraph (2) (c), ~~nothing in~~ this section
2123 does not shall prohibit the publication of proceedings in a
2124 hearing.

2125 (4) REVIEW HEARINGS.—

2126 (a) The court shall hold a review hearing within 45 days
2127 after the disposition hearing. Additional review hearings may be



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2128 held as necessary, allowing sufficient time for the child and
2129 family to work toward compliance with the court orders and
2130 monitoring by the case manager. No longer than 90 days may
2131 elapse between judicial review hearings ~~but no less than 45 days~~
2132 ~~after the date of the last review hearing.~~

2133 (b) The parent, legal guardian, or custodian and the child
2134 shall be noticed to appear for the review hearing. The
2135 department must appear at the review hearing. If the parent,
2136 legal guardian, or custodian does not appear at a review
2137 hearing, or if the court finds good cause to waive the child's
2138 presence, the court may proceed with the hearing and enter
2139 orders that affect the child and family accordingly.

2140 (c) ~~(b)~~ At the review hearings, the court shall consider the
2141 department's judicial review summary. The court shall close the
2142 case if the child has substantially complied with the case plans
2143 and court orders and no longer requires continued court
2144 supervision, subject to the case being reopened. Upon request of
2145 the petitioner, the court may close the case and relinquish
2146 jurisdiction. If the child has significantly failed to comply
2147 with the case plan or court orders, the child shall continue to
2148 be a child in need of services and reviewed by the court as
2149 needed. At review hearings, the court may enter further orders
2150 to adjust the services case plan to address the family needs and
2151 compliance with court orders, including, but not limited to,
2152 ordering the child placed in shelter, ~~but no less than 45 days~~
2153 ~~after the date of the last review hearing.~~

2154 Section 24. Section 984.21, Florida Statutes, is amended to
2155 read:

2156 984.21 Orders of adjudication.—



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2157 (2)~~(1)~~ If the court finds that the child named in a
2158 petition is not a child in need of services, it shall enter an
2159 order so finding and dismiss ~~dismissing~~ the case.

2160 ~~(2) If the court finds that the child named in the petition
2161 is a child in need of services, but finds that no action other
2162 than supervision in the home is required, it may enter an order
2163 briefly stating the facts upon which its finding is based, but
2164 withholding an order of adjudication and placing the child and
2165 family under the supervision of the department. If the court
2166 later finds that the parent, guardian, or custodian of the child
2167 have not complied with the conditions of supervision imposed,
2168 the court may, after a hearing to establish the noncompliance,
2169 but without further evidence of the state of the child in need
2170 of services, enter an order of adjudication and shall thereafter
2171 have full authority under this chapter to provide for the child
2172 as adjudicated.~~

2173 (3) If the court finds by a preponderance of evidence that
2174 the child named in a petition is a child in need of services,
2175 ~~but elects not to proceed under subsection (2),~~ it shall
2176 incorporate that finding in an order of adjudication entered in
2177 the case, briefly stating the facts upon which the finding is
2178 made, and the court shall thereafter have full authority under
2179 this chapter to provide for the child as adjudicated.

2180 (1)~~(4)~~ An order of adjudication by a court that a child is
2181 a child in need of services is a civil adjudication, and is
2182 ~~services shall~~ not be deemed a conviction, nor shall the child
2183 be deemed to have been found guilty or to be a delinquent or
2184 criminal by reason of ~~that~~ adjudication, nor shall that
2185 adjudication operate to impose upon the child any of the civil



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2186 disabilities ordinarily imposed by or resulting from conviction
2187 or disqualify or prejudice the child in any civil service
2188 application or appointment.

2189 Section 25. Section 984.22, Florida Statutes, is amended to
2190 read:

2191 984.22 Powers of disposition.—

2192 (1) If the court finds that services and treatment have not
2193 been provided or used ~~utilized~~ by a child or family, the court
2194 having jurisdiction of the child in need of services shall have
2195 the power to direct the least intrusive and least restrictive
2196 disposition, as follows:

2197 (a) Order the parent, legal guardian, or custodian and the
2198 child to participate in treatment, services, and any other
2199 alternative identified as necessary.

2200 (b) Order the parent, legal guardian, or custodian to pay a
2201 fine or fee based on the recommendations of the department.

2202 (2) When any child is adjudicated by the court to be a
2203 child in need of services, the court having jurisdiction of the
2204 child and parent, legal guardian, or custodian shall have the
2205 power, by order, to:

2206 (a) Place the child under the supervision of the
2207 department's authorized agent ~~contracted~~ provider of programs
2208 and services for children in need of services and families in
2209 need of services. The term "supervision," for the purposes of
2210 this section, means services as defined by the contract between
2211 the department and the provider.

2212 (b) Place the child in the temporary legal custody of an
2213 adult willing to care for the child.

2214 (c) Commit the child to a licensed child-caring agency



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2215 willing to receive the child and to provide services without
2216 compensation from the department.

2217 (d) Order the child, and, if the court finds it
2218 appropriate, the parent, legal guardian, or custodian of the
2219 child, to render community service in a public service program.

2220 (e) Order the child placed in shelter pursuant to s.
2221 984.225 or s. 984.226.

2222 (3) When any child is adjudicated by the court to be a
2223 child in need of services and temporary legal custody of the
2224 child has been placed with an adult willing to care for the
2225 child, or a licensed child-caring agency, ~~the Department of~~
2226 ~~Juvenile Justice, or the Department of Children and Families,~~
2227 the court shall order the natural or adoptive parents of such
2228 child, including the natural father of such child born out of
2229 wedlock who has acknowledged his paternity in writing before the
2230 court, or the guardian of such child's estate if possessed of
2231 assets which under law may be disbursed for the care, support,
2232 and maintenance of such child, to pay child support to the adult
2233 relative caring for the child, the licensed child-caring agency,
2234 the department ~~of Juvenile Justice,~~ or the Department of
2235 Children and Families. When such order affects the guardianship
2236 estate, a certified copy of such order shall be delivered to the
2237 judge having jurisdiction of such guardianship estate. If the
2238 court determines that the parent is unable to pay support,
2239 placement of the child shall not be contingent upon issuance of
2240 a support order. The department may employ a collection agency
2241 to receive, collect, and manage ~~for the purpose of receiving,~~
2242 ~~collecting, and managing~~ the payment of unpaid and delinquent
2243 fees. The collection agency must be registered and in good



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2244 standing under chapter 559. The department may pay to the
2245 collection agency a fee from the amount collected under the
2246 claim or may authorize the agency to deduct the fee from the
2247 amount collected.

2248 ~~(4) All payments of fees made to the department under this~~
2249 ~~chapter, or child support payments made to the department~~
2250 ~~pursuant to subsection (3), shall be deposited in the General~~
2251 ~~Revenue Fund.~~

2252 ~~(4)(5)~~ In carrying out the provisions of this chapter, the
2253 court shall order the child, family, parent, legal guardian, or
2254 custodian of a child who is found to be a child in need of
2255 services to participate in family counseling and other
2256 professional counseling activities or other alternatives deemed
2257 necessary to address the needs ~~for the rehabilitation~~ of the
2258 child and family.

2259 ~~(5)(6)~~ The participation and cooperation of the family,
2260 parent, legal guardian, or custodian, and the child with court-
2261 ordered services, treatment, or community service are mandatory,
2262 not merely voluntary. The court may use its contempt powers to
2263 enforce its orders ~~order~~.

2264 Section 26. Section 984.225, Florida Statutes, is amended
2265 to read:

2266 984.225 Powers of disposition; placement in a ~~staff-secure~~
2267 ~~shelter.~~

2268 (1) ~~Subject to specific legislative appropriation,~~ The
2269 court may order that a child adjudicated as a child in need of
2270 services be placed in shelter to enforce the court's orders, to
2271 ensure the child attends school, to ensure the child receives
2272 needed counseling, and to ensure the child adheres to a service



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2273 plan. While a child is in a shelter, the child shall receive
2274 education commensurate with his or her grade level and
2275 educational ability. The department, or the department's
2276 authorized agent, must verify to the court that a shelter bed is
2277 available for the child. If the department or the department's
2278 authorized agent verifies that a bed is not available, the
2279 department shall place the child's name on a waiting list. The
2280 child who has been on the waiting list the longest shall get the
2281 next available bed. ~~for up to 90 days in a staff-secure shelter~~
2282 ~~if:~~

2283 (2) The court shall order the parent, legal guardian, or
2284 custodian to cooperate with reunification efforts and
2285 participate in counseling. If a parent, legal guardian, or
2286 custodian prefers to arrange counseling or other services with a
2287 private provider in lieu of using services provided by the
2288 department, the family shall pay all costs associated with those
2289 services.

2290 (3) Placement of a child under this section is designed to
2291 provide residential care on a temporary basis. Such placement
2292 does not abrogate the legal responsibilities of the parent,
2293 legal guardian, or custodian with respect to the child, except
2294 to the extent that those responsibilities are temporarily
2295 altered by court order.

2296 (a) The court may order any child adjudicated a child in
2297 need of services to be placed in shelter for up to 35 days.

2298 (b) After other alternative, less restrictive, remedies
2299 have been exhausted, the child may be placed in shelter for up
2300 to 90 days if:

2301 1.~~(a)~~ The child's parent, legal guardian, or ~~legal~~



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2302 custodian refuses to provide food, clothing, shelter, and
2303 necessary parental support for the child and the refusal is a
2304 direct result of an established pattern of significant
2305 disruptive behavior of the child in the home of the parent,
2306 legal guardian, or ~~legal~~ custodian;

2307 2.(b) The child refuses to remain under the reasonable care
2308 and custody of the ~~his or her~~ parent, legal guardian, or ~~legal~~
2309 custodian, as evidenced by repeatedly running away and failing
2310 to comply with a court order; or

2311 3.(e) The child has failed to successfully complete an
2312 alternative treatment program or to comply with a court-ordered
2313 services sanction and the child has been placed in a shelter
2314 ~~residential program~~ on at least one prior occasion pursuant to a
2315 court order after the child has been adjudicated a child in need
2316 of services under this chapter.

2317 (4) The court shall review the child's 90-day shelter
2318 placement within 45 days after the child's placement and
2319 determine whether continued shelter is deemed necessary. The
2320 court shall also determine whether the parent, legal guardian,
2321 or custodian has reasonably participated in the child's
2322 counseling and treatment program, and is following the
2323 recommendations of the program to work toward reunification. The
2324 court shall also determine whether the department's
2325 reunification efforts have been reasonable. If the court finds
2326 an inadequate level of support or participation by the parent,
2327 legal guardian, or custodian before the end of the shelter
2328 commitment period, the court shall direct that the child be
2329 handled in every respect as a dependent child. Jurisdiction
2330 shall be transferred to the Department of Children and Families,



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2331 and the child's care shall be governed under the relevant
2332 provisions of chapter 39. The department shall notify and
2333 coordinate with the Department of Children and Families for the
2334 transfer of jurisdiction. The clerk of court shall serve the
2335 Department of Children and Families with any court order of
2336 referral.

2337 ~~(2) This section applies after other alternative, less-~~
2338 ~~restrictive remedies have been exhausted. The court may order~~
2339 ~~that a child be placed in a staff-secure shelter. The~~
2340 ~~department, or an authorized representative of the department,~~
2341 ~~must verify to the court that a bed is available for the child.~~
2342 ~~If the department or an authorized representative of the~~
2343 ~~department verifies that a bed is not available, the department~~
2344 ~~will place the child's name on a waiting list. The child who has~~
2345 ~~been on the waiting list the longest will get the next available~~
2346 ~~bed.~~

2347 ~~(3) The court shall order the parent, guardian, or legal~~
2348 ~~custodian to cooperate with efforts to reunite the child with~~
2349 ~~the family, participate in counseling, and pay all costs~~
2350 ~~associated with the care and counseling provided to the child~~
2351 ~~and family, in accordance with the family's ability to pay as~~
2352 ~~determined by the court. Commitment of a child under this~~
2353 ~~section is designed to provide residential care on a temporary~~
2354 ~~basis. Such commitment does not abrogate the legal~~
2355 ~~responsibilities of the parent, guardian, or legal custodian~~
2356 ~~with respect to the child, except to the extent that those~~
2357 ~~responsibilities are temporarily altered by court order.~~

2358 ~~(4) While a child is in a staff-secure shelter, the child~~
2359 ~~shall receive education commensurate with his or her grade level~~



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2360 ~~and educational ability.~~

2361 (5) If a child has not been reunited with his or her
2362 parent, legal guardian, or ~~legal~~ custodian at the expiration of
2363 the 90-day commitment period, the court may order that the child
2364 remain in the ~~staff-secure~~ shelter for an additional 30 days if
2365 the court finds that reunification could be achieved within that
2366 period.

2367 ~~(6)~~ The department is deemed to have exhausted the
2368 reasonable remedies offered under this chapter if, at the end of
2369 the 90-day shelter ~~commitment~~ period, the parent, legal
2370 guardian, or ~~legal~~ custodian continues to refuse to allow the
2371 child to remain at home or creates unreasonable conditions for
2372 the child's return. If, at the end of the 90-day shelter
2373 ~~commitment~~ period, the child is not reunited with his or her
2374 parent, legal guardian, or custodian due solely to the continued
2375 refusal of the parent, legal guardian, or custodian to provide
2376 food, clothing, shelter, and parental support, the child is
2377 considered to be threatened with harm as a result of such acts
2378 or omissions, and the court shall direct that the child be
2379 handled in every respect as a dependent child. Jurisdiction
2380 shall be transferred to the custody of the Department of
2381 Children and Families, and the child's care shall be governed
2382 under the relevant provisions of chapter 39. The department
2383 shall coordinate with the Department of Children and Families as
2384 provided in s. 984.086. The clerk of court shall serve the
2385 Department of Children and Families with any court order of
2386 referral.

2387 ~~(7) The court shall review the child's commitment once~~
2388 ~~every 45 days as provided in s. 984.20. The court shall~~



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2389 ~~determine whether the parent, guardian, or custodian has~~
2390 ~~reasonably participated in and financially contributed to the~~
2391 ~~child's counseling and treatment program. The court shall also~~
2392 ~~determine whether the department's efforts to reunite the family~~
2393 ~~have been reasonable. If the court finds an inadequate level of~~
2394 ~~support or participation by the parent, guardian, or custodian~~
2395 ~~prior to the end of the commitment period, the court shall~~
2396 ~~direct that the child be handled in every respect as a dependent~~
2397 ~~child. Jurisdiction shall be transferred to the Department of~~
2398 ~~Children and Families, and the child's care shall be governed~~
2399 ~~under the relevant provisions of chapter 39.~~

2400 ~~(6)(8)~~ If the child requires residential mental health
2401 treatment or residential care for a developmental disability,
2402 the court shall order ~~refer~~ the child transferred to the custody
2403 of the Agency for Persons with Disabilities or to the Department
2404 of Children and Families for the provision of necessary
2405 services. The clerk of court shall serve the Agency for Persons
2406 with Disabilities or the Department of Children and Families
2407 with any court order of referral.

2408 Section 27. Section 984.226, Florida Statutes, is amended
2409 to read:

2410 984.226 Physically secure shelter ~~setting~~.—

2411 (1) Subject to specific legislative appropriation, the
2412 department ~~of Juvenile Justice~~ shall establish or contract for
2413 physically secure shelters ~~settings~~ ~~designated exclusively~~ for
2414 the placement of children in need of services who meet the
2415 criteria provided in this section.

2416 ~~(2) When a petition is filed alleging that a child is a~~
2417 ~~child in need of services, the child must be represented by~~



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2418 ~~counsel at each court appearance unless the record in that~~
2419 ~~proceeding affirmatively demonstrates by clear and convincing~~
2420 ~~evidence that the child knowingly and intelligently waived the~~
2421 ~~right to counsel after being fully advised by the court of the~~
2422 ~~nature of the proceedings and the dispositional alternatives~~
2423 ~~available to the court under this section. If the court decides~~
2424 ~~to appoint counsel for the child and if the child is indigent,~~
2425 ~~the court shall appoint an attorney to represent the child as~~
2426 ~~provided under s. 985.033. Nothing precludes the court from~~
2427 ~~requesting reimbursement of attorney's fees and costs from the~~
2428 ~~nonindigent parent or legal guardian.~~

2429 ~~(2)(3)~~ When a child is adjudicated as a child in need of
2430 services by a court and all other less restrictive placements
2431 have been exhausted, the court may order the child to be placed
2432 in a physically secure shelter ~~setting authorized in this~~
2433 ~~section~~ if the child has:

2434 (a) Failed to appear for placement in a ~~staff-secure~~
2435 shelter for up to 90 days as ordered under s. 984.225, or failed
2436 to comply with any other provision of a valid court order
2437 relating to such placement and, as a result of such failure, has
2438 been found to be in direct or indirect contempt of court; or

2439 (b) Run away from a 90-day ~~staff-secure~~ shelter following
2440 placement under s. 984.225 ~~or s. 984.09~~.

2441
2442 The department or an authorized agent ~~representative~~ of the
2443 department must verify to the court that a bed is available for
2444 the child in a physically secure shelter. If a bed is not
2445 available in a physically secure shelter, the court must stay
2446 the placement until such a bed is available, and the department



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2447 must place the child's name on a waiting list. The child who has
2448 been on the waiting list the longest has first priority for
2449 placement in the physically secure shelter. Physically secure
2450 shelter placement may only be used when the child cannot receive
2451 appropriate and available services due to the child running away
2452 or refusing to cooperate with attempts to provide services in
2453 other less restrictive placements ~~setting~~.

2454 (3)~~(4)~~ A child may be placed in a physically secure shelter
2455 ~~setting~~ for up to 90 days by order of the court. If a child has
2456 not been reunited with his or her parent, guardian, or legal
2457 custodian at the expiration of the placement in a physically
2458 secure shelter ~~setting~~, the court may order that the child
2459 remain in the physically secure shelter ~~setting~~ for an
2460 additional 30 days if the court finds that reunification could
2461 be achieved within that period.

2462 (4)~~(5)~~(a) The court shall review the child's placement once
2463 within every 45 days to determine whether the child can be
2464 returned home with the provision of ongoing services ~~as provided~~
2465 ~~in s. 984.20.~~

2466 (b) At any time during the placement of a child in need of
2467 services in a physically secure shelter ~~setting~~, the department
2468 or an authorized agent ~~representative~~ of the department may
2469 submit to the court a report that recommends:

2470 1. That the child has received all of the services
2471 available from the physically secure shelter ~~setting~~ and is
2472 ready for reunification with a parent or guardian; or

2473 2. That the child is unlikely to benefit from continued
2474 placement in the physically secure shelter ~~setting~~ and is more
2475 likely to have his or her needs met in a different type of



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2476 placement. The court may order that the child be transitioned
2477 from a physically secure shelter to a shelter placement as
2478 provided in s. 984.225 upon a finding that the physically secure
2479 shelter is no longer necessary for the child's safety and to
2480 provide needed services.

2481 (c) The court shall determine if the parent, legal
2482 guardian, or custodian has reasonably participated in and has
2483 ~~financially~~ contributed to or participated in the child's
2484 counseling and treatment program.

2485 (d) If the court finds an inadequate level of support or
2486 participation by the parent, legal guardian, or custodian before
2487 the end of the placement, the court shall direct that the child
2488 be handled as a dependent child, jurisdiction shall be
2489 transferred to the Department of Children and Families, and the
2490 child's care shall be governed by chapter 39. The department
2491 shall notify and coordinate with the Department of Children and
2492 Families for provision of services to the child. The clerk of
2493 court shall serve the Department of Children and Families with
2494 any court order of referral.

2495 (e) If the child requires long-term residential mental
2496 health treatment or residential care for a developmental
2497 disability, the court shall transfer custody of ~~refer~~ the child
2498 to the Department of Children and Families or the Agency for
2499 Persons with Disabilities for the provision of necessary
2500 services. The clerk of court shall serve the Agency for Persons
2501 with Disabilities or the Department of Children and Families
2502 with any court order of referral.

2503 (5)(6) Prior to being ordered to a physically secure
2504 shelter setting, the child must be afforded all rights of due



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2505 process required under s. 984.07 ~~985.037~~.

2506 (6) While in the physically secure shelter ~~setting~~, the
2507 child shall receive appropriate assessment, intervention,
2508 treatment, and educational services that are designed to
2509 eliminate or reduce the child's truant, ungovernable, or runaway
2510 behavior. The child and family shall be provided with individual
2511 and family counseling and other support services necessary for
2512 reunification.

2513 (7) The court shall order the parent, legal guardian, or
2514 ~~legal~~ custodian to cooperate with efforts to reunite the child
2515 with the family, participate in counseling, and pay all costs
2516 associated with the care and counseling provided to the child
2517 and family, in accordance with the child's insurance and the
2518 family's ability to pay as determined by the court. Placement of
2519 a child under this section is designed to provide residential
2520 care on a temporary basis. Such placement does not abrogate the
2521 legal responsibilities of the parent, legal guardian, or ~~legal~~
2522 custodian with respect to the child, except to the extent that
2523 those responsibilities are temporarily altered by court order.

2524 Section 28. Section 985.731, Florida Statutes, is
2525 transferred and renumbered as section 787.035, Florida Statutes.

2526 Section 29. Subsection (9) of section 985.03, Florida
2527 Statutes, is amended to read:

2528 985.03 Definitions.—As used in this chapter, the term:

2529 (9) "Child who has been found to have committed a
2530 delinquent act" means a child who, under this chapter, is found
2531 by a court to have committed a violation of law or to be in
2532 direct or indirect contempt of court, except that this
2533 definition does not include an act constituting contempt of



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2534 court arising out of a ~~dependency~~ proceeding under chapter 39 or
2535 chapter 984 ~~or a proceeding concerning a child or family in need~~
2536 ~~of services.~~

2537 Section 30. Subsection (4) of section 985.24, Florida
2538 Statutes, is amended to read:

2539 985.24 Use of detention; prohibitions.—

2540 (4) A child who is alleged to be dependent under chapter
2541 39, or any child subject to proceedings under chapter 984, but
2542 who is not alleged to have committed a delinquent act or
2543 violation of law, may not, under any circumstances, be placed
2544 into secure detention care.

2545 Section 31. Section 1003.26, Florida Statutes, is amended
2546 to read:

2547 1003.26 Enforcement of school attendance.—The Legislature
2548 finds that poor academic performance is associated with
2549 nonattendance and that school districts must take an active role
2550 in promoting and enforcing attendance as a means of improving
2551 student performance. It is the policy of the state that each
2552 district school superintendent be responsible for enforcing
2553 school attendance of all students subject to the compulsory
2554 school age in the school district and supporting enforcement of
2555 school attendance by local law enforcement agencies. The
2556 responsibility includes recommending policies and procedures to
2557 the district school board that require public schools to respond
2558 in a timely manner to every unexcused absence, and every absence
2559 for which the reason is unknown, of students enrolled in the
2560 schools. District school board policies shall require the parent
2561 of a student to justify each absence of the student, and that
2562 justification will be evaluated based on adopted district school



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2563 board policies that define excused and unexcused absences. The
2564 policies must provide that public schools track excused and
2565 unexcused absences and contact the home in the case of an
2566 unexcused absence from school, or an absence from school for
2567 which the reason is unknown, to prevent the development of
2568 patterns of nonattendance. The Legislature finds that early
2569 intervention in school attendance is the most effective way of
2570 producing good attendance habits that will lead to improved
2571 student learning and achievement. Each public school is required
2572 to ~~shall~~ implement the following steps to promote and enforce
2573 regular school attendance:

2574 (1) CONTACT, REFER, AND ENFORCE.—

2575 (a) Upon each unexcused absence, or absence for which the
2576 reason is unknown, the school principal or his or her designee
2577 must ~~shall~~ contact the student's parent to determine the reason
2578 for the absence. If the absence is an excused absence, as
2579 defined by district school board policy, the school shall
2580 provide opportunities for the student to make up assigned work
2581 and not receive an academic penalty unless the work is not made
2582 up within a reasonable time.

2583 (b) If a student has had at least five unexcused absences,
2584 or absences for which the reasons are unknown, within a calendar
2585 month or 10 unexcused absences, or absences for which the
2586 reasons are unknown, within a 90-calendar-day period, the
2587 student's primary teacher must ~~shall~~ report to the school
2588 principal or his or her designee that the student may be
2589 exhibiting a pattern of nonattendance. ~~The principal shall,~~
2590 Unless there is clear evidence that the absences are not a
2591 pattern of nonattendance, the principal must refer the case to



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2592 the school's child study team to determine if early patterns of
2593 truancy are developing. If the child study team finds that a
2594 pattern of nonattendance is developing, whether the absences are
2595 excused or not, a meeting with the parent must be scheduled to
2596 identify potential remedies, and the principal must ~~shall~~ notify
2597 the district school superintendent and the school district
2598 contact for home education programs that the referred student is
2599 exhibiting a pattern of nonattendance. The child study team may
2600 allow the parent to attend the meeting virtually or by telephone
2601 if the parent is unable to attend the meeting in person.

2602 (c) If the parent or child fails to attend the child study
2603 team meeting, the meeting shall be held in his or her absence,
2604 and the child study team shall make written recommendations to
2605 remediate the truancy based upon the information available to
2606 the school. The recommendations shall be provided to the parent
2607 within 7 days after the child study team meeting. If the ~~an~~
2608 initial meeting does not resolve the problem, the child study
2609 team shall implement the following:

2610 1. Frequent attempts at communication between the teacher
2611 and the family.

2612 2. Attempt to determine the reasons the child is truant
2613 from school and provide remedies if available or refer the
2614 family to services, including referring the family for available
2615 scholarship options if the learning environment is an issue of
2616 concern.

2617 ~~3.2.~~ Evaluation for alternative education programs.

2618 ~~4.3.~~ Attendance contracts.

2619
2620 The child study team may, but is not required to, implement



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2621 other interventions, including referral to the Department of
2622 Juvenile Justice's designated provider for voluntary family
2623 services, or to other agencies for family services or recommend
2624 recommendation for filing a truancy petition pursuant to s.
2625 984.151.

2626 (d) The child study team must ~~shall~~ be diligent in
2627 facilitating intervention services and shall report the case to
2628 the district school superintendent only when all reasonable
2629 efforts to resolve the nonattendance behavior are exhausted.

2630 (e) If the parent refuses to participate in the remedial
2631 strategies because he or she believes that those strategies are
2632 unnecessary or inappropriate, the parent may appeal to the
2633 district school board. The district school board may provide a
2634 hearing officer, and the hearing officer shall make a
2635 recommendation for final action to the district school board. If
2636 the district school board's final determination is that the
2637 strategies of the child study team are appropriate, and the
2638 parent still refuses to participate or cooperate, the district
2639 school superintendent may seek criminal prosecution for
2640 noncompliance with compulsory school attendance.

2641 (f)1. If the parent of a child who has been identified as
2642 exhibiting a pattern of nonattendance enrolls the child in a
2643 home education program pursuant to chapter 1002, the district
2644 school superintendent shall provide the parent a copy of s.
2645 1002.41 and the accountability requirements of this paragraph.
2646 The district school superintendent shall also refer the parent
2647 to a home education review committee composed of the district
2648 contact for home education programs and at least two home
2649 educators selected by the parent from a district list of all



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2650 home educators who have conducted a home education program for
2651 at least 3 years and who have indicated a willingness to serve
2652 on the committee. The home education review committee shall
2653 review the portfolio of the student, as defined by s. 1002.41,
2654 every 30 days during the district's regular school terms until
2655 the committee is satisfied that the home education program is in
2656 compliance with s. 1002.41(1)(d). The first portfolio review
2657 must occur within the first 30 calendar days after ~~of~~ the
2658 establishment of the program. The provisions of subparagraph 2.
2659 do not apply once the committee determines the home education
2660 program is in compliance with s. 1002.41(1)(d).

2661 2. If the parent fails to provide a portfolio to the
2662 committee, the committee shall notify the district school
2663 superintendent. The district school superintendent shall then
2664 terminate the home education program and require the parent to
2665 enroll the child in an attendance option that meets the
2666 definition of the term "regular school attendance" under s.
2667 1003.01(16)(a), (b), (c), or (e), within 3 days. Upon
2668 termination of a home education program pursuant to this
2669 subparagraph, the parent shall not be eligible to reenroll the
2670 child in a home education program for 180 calendar days. Failure
2671 of a parent to enroll the child in an attendance option as
2672 required by this subparagraph after termination of the home
2673 education program pursuant to this subparagraph shall constitute
2674 noncompliance with the compulsory attendance requirements of s.
2675 1003.21 and may result in criminal prosecution under s.
2676 1003.27(2). Nothing contained herein shall restrict the ability
2677 of the district school superintendent, or the ability of his or
2678 her designee, to review the portfolio pursuant to s.



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2679 1002.41(1)(e).

2680 (g) If a student subject to compulsory school attendance
2681 will not comply with attempts to enforce school attendance, the
2682 parent or the district school superintendent or his or her
2683 designee must ~~shall~~ refer the case to the Department of Juvenile
2684 Justice's authorized agent, which shall then offer voluntary
2685 family services, and schedule a meeting of the case staffing
2686 committee pursuant to s. 984.12 if the services do not remediate
2687 the child's truancy, and the district school superintendent or
2688 his or her designee may file a truancy petition pursuant to the
2689 procedures in s. 984.151.

2690 (h) If a student subject to compulsory school attendance is
2691 responsive to the interventions described in this section and
2692 has completed the necessary requirements to pass the current
2693 grade as indicated in the district pupil progression plan, the
2694 student may not be determined to be a habitual truant and shall
2695 be promoted.

2696 (2) GIVE WRITTEN NOTICE.—

2697 (a) Under the direction of the district school
2698 superintendent, a designated school representative must provide
2699 ~~shall give~~ written notice in person or by return-receipt mail to
2700 the parent, requiring the child's that requires enrollment or
2701 attendance within 3 days after the date of notice, ~~in person or~~
2702 ~~by return-receipt mail, to the parent~~ when no valid reason is
2703 found for a student's nonenrollment in school if the child is
2704 under compulsory education requirements, and is not exempt. If
2705 the child is not enrolled or in attendance in school within 3
2706 days after the notice being provided and requirement are
2707 ~~ignored,~~ the designated school representative must ~~shall~~ report



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2708 the case to the district school superintendent, who must ~~may~~
2709 refer the case to the child study team in paragraph (1) (b) at
2710 the school the student would be assigned according to district
2711 school board attendance area policies. In addition, the
2712 designated school representative may refer the case to the
2713 Department of Juvenile Justice's authorized agent for families
2714 in need of services ~~or to the case staffing committee,~~
2715 ~~established pursuant to s. 984.12.~~ The child study team must
2716 ~~shall~~ diligently facilitate intervention services and ~~shall~~
2717 report the case back to the district school superintendent
2718 within 15 days after referral of the case if ~~only when all~~
2719 reasonable efforts to resolve the nonenrollment behavior have
2720 been made and the child is still not attending school ~~are~~
2721 ~~exhausted.~~ If the parent ~~still~~ refuses to cooperate or enroll
2722 the child in school within 15 days after referral of the case to
2723 the child study team, the district school superintendent must
2724 make a report to law enforcement and refer the case to the
2725 Office of the State Attorney ~~shall take such steps as are~~
2726 ~~necessary~~ to bring criminal prosecution against the parent.

2727 (b) Subsequent to referring the case to the Office of the
2728 State Attorney ~~the activities required under subsection (1),~~ the
2729 district school superintendent or his or her designee must ~~shall~~
2730 give written notice in person or by return-receipt mail to the
2731 parent that criminal prosecution is being sought for
2732 nonattendance. The district school superintendent may file a
2733 truancy petition, as defined in s. 984.03, following the
2734 procedures outlined in s. 984.151.

2735 (3) RETURN STUDENT TO PARENT.— A designated school
2736 representative may visit the home or place of residence of a



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2737 student and any other place in which he or she is likely to find
2738 any student who is required to attend school when the student is
2739 not enrolled or is absent from school during school hours
2740 without an excuse, and, when the student is found, shall return
2741 the student to his or her parent or to the principal or teacher
2742 in charge of the school, or to the private tutor from whom
2743 absent. If the parent cannot be located or is unavailable to
2744 take custody of the child, and the child is not to be presented
2745 to the child's school or tutor, the youth shall be referred to
2746 the Department of Juvenile Justice's shelter, to another
2747 facility, ~~or to the juvenile assessment center~~ or other location
2748 established by the district school board to receive students who
2749 are absent from school. Upon receipt of the student, the parent
2750 shall be immediately notified.

2751 (4) REPORT TO APPROPRIATE AUTHORITY.—A designated school
2752 representative shall report to the appropriate authority
2753 designated by law to receive such notices, all violations of the
2754 Child Labor Law that may come to his or her knowledge.

2755 (5) RIGHT TO INSPECT.—A designated school representative
2756 shall have the right of access to, and inspection of,
2757 establishments where minors may be employed or detained only for
2758 the purpose of ascertaining whether students of compulsory
2759 school age are actually employed there and are actually working
2760 there regularly. The designated school representative shall, if
2761 he or she finds unsatisfactory working conditions or violations
2762 of the Child Labor Law, report his or her findings to the
2763 appropriate authority.

2764 Section 32. Subsections (2), (3), (4), (6), and (7) of
2765 section 1003.27, Florida Statutes, are amended to read:



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2766 1003.27 Court procedure and penalties.—The court procedure
2767 and penalties for the enforcement of the provisions of this
2768 part, relating to compulsory school attendance, shall be as
2769 follows:

2770 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

2771 (a) ~~In each case of nonenrollment or of nonattendance upon~~
2772 ~~the part of a student who is required to attend some school,~~
2773 ~~when no valid reason for such nonenrollment or nonattendance is~~
2774 ~~found,~~ The district school superintendent shall institute a
2775 criminal prosecution against the student's parent, in each case
2776 of nonenrollment or of nonattendance of a student who is
2777 required to attend school, when no valid reason for the
2778 nonenrollment or nonattendance is found. ~~However,~~ Criminal
2779 prosecution may not be instituted against the student's parent
2780 until the school and school district have complied with s.
2781 1003.26.

2782 (b) Each public school principal or the principal's
2783 designee must ~~shall~~ notify the district school board of each
2784 minor student under its jurisdiction who accumulates 15
2785 unexcused absences in a period of 90 calendar days. Reports
2786 shall be made to the district school board at the end of each
2787 school quarter. The calculation of 15 absences within 90 days
2788 are determined based on calendar days and are not limited to the
2789 span of one school quarter during which the nonattendance begins
2790 or ends. The district school board shall verify the schools
2791 reporting 15 or more unexcused absences within a 90-day period
2792 have complied with the requirements of remediating truancy at
2793 the school level or pursuing appropriate court intervention as
2794 provided in this section. Any school not meeting the



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2795 requirements in this paragraph shall provide a remedial action
2796 plan to the school board within 30 days, and follow up within 90
2797 days to confirm all truancy cases have been addressed either
2798 through the child's enrollment and regular attendance or
2799 referral of the case to the appropriate court or agency to
2800 pursue court intervention.

2801 (c) The district school superintendent must provide the
2802 Department of Highway Safety and Motor Vehicles the legal name,
2803 sex, date of birth, and social security number of each minor
2804 student who has been reported under this paragraph and who fails
2805 to otherwise satisfy the requirements of s. 322.091. The
2806 Department of Highway Safety and Motor Vehicles may not issue a
2807 driver license or learner's driver license to, and shall suspend
2808 any previously issued driver license or learner's driver license
2809 of, any such minor student, pursuant ~~to the provisions of s.~~
2810 322.091.

2811 (d)(e) Each designee of the governing body of each private
2812 school and each parent whose child is enrolled in a home
2813 education program or personalized education program may provide
2814 the Department of Highway Safety and Motor Vehicles with the
2815 legal name, sex, date of birth, and social security number of
2816 each minor student under his or her jurisdiction who fails to
2817 satisfy relevant attendance requirements and who fails to
2818 otherwise satisfy the requirements of s. 322.091. The Department
2819 of Highway Safety and Motor Vehicles may not issue a driver
2820 license or learner's driver license to, and shall suspend any
2821 previously issued driver license or learner's driver license of,
2822 any such minor student pursuant to s. 322.091.

2823 (3) HABITUAL TRUANCY CASES.— The district school



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2824 superintendent may ~~is authorized to~~ file a truancy petition
2825 seeking early truancy intervention, as defined in s. 984.03,
2826 following the procedures outlined in s. 984.151. If the district
2827 school superintendent chooses not to file a truancy petition,
2828 the case must be referred to the Department of Juvenile
2829 Justice's authorized agent for families in need of services. The
2830 procedures for filing a child in need of services ~~child-in-need-~~
2831 ~~of-services~~ petition must ~~shall~~ be commenced pursuant to this
2832 subsection and chapter 984 if voluntary family services do not
2833 remediate the child's truancy. The. ~~In accordance with~~
2834 ~~procedures established by the district school board, the~~
2835 designated school representative must ~~shall~~ refer a student who
2836 is a habitual ~~habitually~~ truant and the student's family to the
2837 Department of Juvenile Justice's designated children in need of
2838 services provider for provision of voluntary services, and may
2839 refer the case to ~~children-in-need-of-services and families in-~~
2840 ~~need-of-services provider or the case staffing committee,~~
2841 established pursuant to s. 984.12, following the referral
2842 process established by the cooperative interagency agreement as
2843 ~~determined by the cooperative agreement required in this~~
2844 ~~section.~~ The case staffing committee may request the Department
2845 of Juvenile Justice or its designee to file a petition for child
2846 in need of services ~~child-in-need-of-services~~ petition based
2847 upon the report and efforts of the district school board or
2848 other community agency, and early truancy intervention by the
2849 circuit court, after review and an initial meeting, or may seek
2850 to resolve the truant behavior through the school or community-
2851 based organizations or other state or local agencies. Prior to
2852 ~~and subsequent to~~ the filing of a ~~child-in-need-of-services~~



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2853 petition for a child in need of services due to habitual
2854 truancy, the appropriate governmental agencies must allow a
2855 reasonable time to complete actions required by this section and
2856 ss. 984.11 and ~~s.~~ 1003.26 to remedy the conditions leading to
2857 the truant behavior. Prior to the filing of a petition, the
2858 district school board must have complied with the requirements
2859 of s. 1003.26, and those efforts must have been unsuccessful.

2860 (4) COOPERATIVE AGREEMENTS.—The ~~circuit manager of the~~
2861 Department of Juvenile Justice's authorized agent Justice or his
2862 or her designee, ~~the circuit manager's designee, the district~~
2863 ~~administrator of the Department of Children and Families or the~~
2864 ~~district administrator's designee,~~ and the district school
2865 superintendent or his or her the superintendent's designee must
2866 develop a cooperative interagency agreement that:

2867 (a) Clearly defines each department's role, responsibility,
2868 and function in working with ~~habitual~~ truants and their
2869 families.

2870 (b) Identifies and implements measures to quickly resolve
2871 and reduce truant behavior.

2872 (c) Addresses issues of streamlining service delivery, the
2873 appropriateness of legal intervention, case management, the role
2874 and responsibility of the case staffing committee, student and
2875 parental intervention and involvement, and community action
2876 plans.

2877 (d) Delineates timeframes for implementation and identifies
2878 a mechanism for reporting results by the Department of Juvenile
2879 Justice or its authorized agent circuit juvenile justice manager
2880 ~~or the circuit manager's designee~~ and the district school
2881 superintendent or the superintendent's designee to the



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2882 Department of Juvenile Justice and the Department of Education
2883 and other governmental entities as needed.

2884 (e) Designates which agency is responsible for each of the
2885 intervention steps in this section, to yield more effective and
2886 efficient intervention services.

2887 (6) PROCEEDINGS AND PROSECUTIONS; WHO MAY BEGIN.—

2888 Proceedings or prosecutions under this chapter may be commenced
2889 by the district school superintendent or his or her designee, ~~by~~
2890 ~~a designated school representative, by the probation officer of~~
2891 ~~the county, by the executive officer of any court of competent~~
2892 ~~jurisdiction, by an officer of any court of competent~~
2893 ~~jurisdiction, or~~ by a duly authorized agent of the Department of
2894 Education or the Department of Juvenile Justice, by a parent, or
2895 in the case of a criminal prosecution, by the Office of the
2896 State Attorney. If a proceeding has been commenced against both
2897 a parent and a child pursuant to this chapter, the presiding
2898 courts shall make every effort to coordinate services or
2899 sanctions against the child and parent, including ordering the
2900 child and parent to perform community service hours or attend
2901 counseling together.

2902 (7) PENALTIES.—The penalties for refusing or failing to
2903 comply with this chapter shall be as follows:

2904 (a) *The parent*.—

2905 1. A parent who refuses or fails to have a minor student
2906 who is under his or her control attend school regularly, or who
2907 refuses or fails to comply with the requirements in subsection
2908 (3), commits a misdemeanor of the second degree, punishable as
2909 provided in s. 775.082 or s. 775.083.

2910 2. The continued or habitual absence of a minor student



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2911 without the consent of the principal or teacher in charge of the
2912 school he or she attends or should attend, or of the tutor who
2913 instructs or should instruct him or her, is prima facie evidence
2914 of a violation of this chapter; however, a showing that the
2915 parent has made a bona fide and diligent effort to control and
2916 keep the student in school shall be an affirmative defense to
2917 any criminal or other liability under this subsection and the
2918 court shall refer the parent and child for counseling, guidance,
2919 or other needed services.

2920 3. In addition to any other sanctions authorized under s.
2921 984.151 ~~punishment~~, the court shall order a parent who has
2922 violated this section to send the minor student to school, and
2923 may also order the parent to participate in an approved parent
2924 training class, attend school with the student unless this would
2925 cause undue hardship or is prohibited by rules or policy of the
2926 school board, perform community service hours ~~at the school~~, or
2927 participate in counseling or other services, as appropriate. If
2928 a parent is ordered to attend school with a student, the school
2929 shall provide for programming to educate the parent and student
2930 on the importance of school attendance. It shall be unlawful to
2931 terminate any employee solely because he or she is attending
2932 school with his or her child pursuant to a court order.

2933 (b) *The principal or teacher.*—A principal or teacher in any
2934 public, parochial, religious, denominational, or private school,
2935 or a private tutor who willfully violates any provision of this
2936 chapter may, upon satisfactory proof of such violation, have his
2937 or her certificate revoked by the Department of Education.

2938 (c) *The employer.*—

2939 1. An employer who fails to notify the district school



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2940 superintendent when he or she ceases to employ a student commits
2941 a misdemeanor of the second degree, punishable as provided in s.
2942 775.082 or s. 775.083.

2943 2. An employer who terminates any employee solely because
2944 he or she is attending school with a student pursuant to court
2945 order commits a misdemeanor of the second degree, punishable as
2946 provided in s. 775.082 or s. 775.083.

2947 (d) *The student.*—

2948 ~~1.~~ In addition to any other sanctions authorized under s.
2949 984.151 ~~sanctions~~, the court shall order a student found to be a
2950 ~~habitual~~ truant to make up all school work missed and attend
2951 school daily with no unexcused absences or tardiness, and may
2952 order the child to ~~and may order the student to pay a civil~~
2953 ~~penalty of up to \$2, based on the student's ability to pay, for~~
2954 ~~each day of school missed, perform up to 25 community service~~
2955 ~~hours at the school, or participate in counseling or other~~
2956 services, as appropriate.

2957 ~~2.~~ ~~Upon a second or subsequent finding that a student is a~~
2958 ~~habitual truant, the court, in addition to any other authorized~~
2959 ~~sanctions, shall order the student to make up all school work~~
2960 ~~missed and may order the student to pay a civil penalty of up to~~
2961 ~~\$5, based on the student's ability to pay, for each day of~~
2962 ~~school missed, perform up to 50 community service hours at the~~
2963 ~~school, or participate in counseling or other services, as~~
2964 appropriate.

2965 Section 33. Paragraph (g) is added to subsection (7) of
2966 section 381.02035, Florida Statutes, to read:

2967 381.02035 Canadian Prescription Drug Importation Program.—

2968 (7) ELIGIBLE IMPORTERS.—The following entities may import



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2969 prescription drugs from an eligible Canadian supplier under the
2970 program:

2971 (g) A pharmacist or wholesaler employed by or under
2972 contract with the Department of Juvenile Justice, for dispensing
2973 to juveniles in the custody of the Department of Juvenile
2974 Justice.

2975 Section 34. Paragraph (a) of subsection (5) of section
2976 790.22, Florida Statutes, is amended to read:

2977 790.22 Use of BB guns, air or gas-operated guns, or
2978 electric weapons or devices by minor under 16; limitation;
2979 possession of firearms by minor under 18 prohibited; penalties.-

2980 (5) (a) A minor who violates subsection (3):

2981 1. For a first offense, commits a misdemeanor of the first
2982 degree; shall serve a period of detention of up to 5 days in a
2983 secure detention facility, with credit for time served in secure
2984 detention prior to disposition; and shall be required to perform
2985 100 hours of community service or paid work as determined by the
2986 department.

2987 2. For a second or subsequent offense, commits a felony of
2988 the third degree. For a second offense, the minor shall serve a
2989 period of detention of up to 21 days in a secure detention
2990 facility, with credit for time served in secure detention prior
2991 to disposition, and shall be required to perform not less than
2992 100 nor more than 250 hours of community service or paid work as
2993 determined by the department. For a third or subsequent offense,
2994 the minor shall be adjudicated delinquent and committed to a
2995 residential program. A finding by a court that a minor committed
2996 a violation of this section, regardless of whether the court
2997 adjudicates the minor delinquent or withholds adjudication of



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2998 ~~delinquency, withhold of adjudication of delinquency~~ shall be
2999 considered a prior offense for the purpose of determining a
3000 second, third, or subsequent offense.

3001
3002 For the purposes of this subsection, community service shall be
3003 performed, if possible, in a manner involving a hospital
3004 emergency room or other medical environment that deals on a
3005 regular basis with trauma patients and gunshot wounds.

3006 Section 35. Paragraph (a) of subsection (2) of section
3007 985.12, Florida Statutes, is amended to read:

3008 985.12 Prearrest delinquency citation programs.—

3009 (2) JUDICIAL CIRCUIT DELINQUENCY CITATION PROGRAM
3010 DEVELOPMENT, IMPLEMENTATION, AND OPERATION.—

3011 (a) A prearrest delinquency citation program for
3012 misdemeanor offenses shall be established in each judicial
3013 circuit in the state. The state attorney and public defender of
3014 each circuit, the clerk of the court for each county in the
3015 circuit, and representatives of participating law enforcement
3016 agencies in the circuit shall create a prearrest delinquency
3017 citation program and develop its policies and procedures. In
3018 developing the program's policies and procedures, input from
3019 other interested stakeholders may be solicited. ~~The department~~
3020 ~~shall annually develop and provide guidelines on best practice~~
3021 ~~models for prearrest delinquency citation programs to the~~
3022 ~~judicial circuits as a resource.~~

3023 Section 36. Subsection (5) of section 985.126, Florida
3024 Statutes, is amended to read:

3025 985.126 Prearrest and postarrest diversion programs; data
3026 collection; denial of participation or expunged record.—



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3027 (5) The department shall provide a quarterly report to be
3028 published on its website and distributed to the Governor,
3029 President of the Senate, and Speaker of the House of
3030 Representatives listing the entities that use prearrest
3031 delinquency citations for less than 80 ~~70~~ percent of first-time
3032 misdemeanor offenses.

3033 Section 37. Paragraph (c) of subsection (1) of section
3034 985.25, Florida Statutes, is amended to read:

3035 985.25 Detention intake.—

3036 (1) The department shall receive custody of a child who has
3037 been taken into custody from the law enforcement agency or court
3038 and shall review the facts in the law enforcement report or
3039 probable cause affidavit and make such further inquiry as may be
3040 necessary to determine whether detention care is appropriate.

3041 (c) If the final score on the child's risk assessment
3042 instrument indicates detention care is appropriate, but the
3043 department otherwise determines the child should be released,
3044 the department shall contact the state attorney, who may
3045 authorize release. If the final score on the child's risk
3046 assessment instrument indicates release or supervised release is
3047 appropriate, but the department otherwise determines that there
3048 should be supervised release or detention, the department shall
3049 contact the state attorney, who may authorize an upward
3050 departure. Notwithstanding any other provision of this
3051 paragraph, a child may only be moved one category in either
3052 direction within the risk assessment instrument and release is
3053 not authorized if it would cause the child to be moved more than
3054 one category.

3055



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3056 Under no circumstances shall the department or the state
3057 attorney or law enforcement officer authorize the detention of
3058 any child in a jail or other facility intended or used for the
3059 detention of adults, without an order of the court.

3060 Section 38. Paragraph (c) of subsection (7) of section
3061 985.433, Florida Statutes, is amended to read:

3062 985.433 Disposition hearings in delinquency cases.—When a
3063 child has been found to have committed a delinquent act, the
3064 following procedures shall be applicable to the disposition of
3065 the case:

3066 (7) If the court determines that the child should be
3067 adjudicated as having committed a delinquent act and should be
3068 committed to the department, such determination shall be in
3069 writing or on the record of the hearing. The determination shall
3070 include a specific finding of the reasons for the decision to
3071 adjudicate and to commit the child to the department, including
3072 any determination that the child was a member of a criminal
3073 gang.

3074 (c) The court may also require that the child be placed on
3075 conditional release ~~in a probation program~~ following the child's
3076 discharge from commitment. Community-based sanctions under
3077 subsection (8) may be imposed by the court at the disposition
3078 hearing or at any time prior to the child's release from
3079 commitment.

3080 Section 39. Section 985.625, Florida Statutes, is repealed.

3081 Section 40. Subsection (4) of section 985.632, Florida
3082 Statutes, is amended to read:

3083 985.632 Quality improvement and cost-effectiveness;
3084 Comprehensive Accountability Report.—



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3085 ~~(4) COST-EFFECTIVENESS MODEL. The department, in~~
3086 ~~consultation with the Office of Economic and Demographic~~
3087 ~~Research and contract service providers, shall develop a cost-~~
3088 ~~effectiveness model and apply the model to each commitment~~
3089 ~~program.~~

3090 ~~(a) The cost-effectiveness model shall compare program~~
3091 ~~costs to expected and actual child recidivism rates. It is the~~
3092 ~~intent of the Legislature that continual development efforts~~
3093 ~~take place to improve the validity and reliability of the cost-~~
3094 ~~effectiveness model.~~

3095 ~~(b) The department shall rank commitment programs based on~~
3096 ~~the cost-effectiveness model, performance measures, and~~
3097 ~~adherence to quality improvement standards and shall report this~~
3098 ~~data in the annual Comprehensive Accountability Report.~~

3099 ~~(c) Based on reports of the department on child outcomes~~
3100 ~~and program outputs and on the department's most recent cost-~~
3101 ~~effectiveness rankings, the department may terminate a program~~
3102 ~~operated by the department or a provider if the program has~~
3103 ~~failed to achieve a minimum standard of program effectiveness.~~
3104 ~~This paragraph does not preclude the department from terminating~~
3105 ~~a contract as provided under this section or as otherwise~~
3106 ~~provided by law or contract, and does not limit the department's~~
3107 ~~authority to enter into or terminate a contract.~~

3108 ~~(d) In collaboration with the Office of Economic and~~
3109 ~~Demographic Research, and contract service providers, the~~
3110 ~~department shall develop a work plan to refine the cost-~~
3111 ~~effectiveness model so that the model is consistent with the~~
3112 ~~performance-based program budgeting measures approved by the~~
3113 ~~Legislature to the extent the department deems appropriate. The~~



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3114 ~~department shall notify the Office of Program Policy Analysis~~
3115 ~~and Government Accountability of any meetings to refine the~~
3116 ~~model.~~

3117 ~~(e) Contingent upon specific appropriation, the department,~~
3118 ~~in consultation with the Office of Economic and Demographic~~
3119 ~~Research, and contract service providers, shall:~~

3120 ~~1. Construct a profile of each commitment program that uses~~
3121 ~~the results of the quality improvement data portion of the~~
3122 ~~Comprehensive Accountability Report required by this section,~~
3123 ~~the cost-effectiveness data portion of the Comprehensive~~
3124 ~~Accountability Report required in this subsection, and other~~
3125 ~~reports available to the department.~~

3126 ~~2. Target, for a more comprehensive evaluation, any~~
3127 ~~commitment program that has achieved consistently high, low, or~~
3128 ~~disparate ratings in the reports required under subparagraph 1.~~
3129 ~~and target, for technical assistance, any commitment program~~
3130 ~~that has achieved low or disparate ratings in the reports~~
3131 ~~required under subparagraph 1.~~

3132 ~~3. Identify the essential factors that contribute to the~~
3133 ~~high, low, or disparate program ratings.~~

3134 ~~4. Use the results of these evaluations in developing or~~
3135 ~~refining juvenile justice programs or program models, child~~
3136 ~~outcomes and program outputs, provider contracts, quality~~
3137 ~~improvement standards, and the cost-effectiveness model.~~

3138 Section 41. Subsection (8) of section 95.11, Florida
3139 Statutes, is amended to read:

3140 95.11 Limitations other than for the recovery of real
3141 property.—Actions other than for recovery of real property shall
3142 be commenced as follows:



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3143 (8) FOR INTENTIONAL TORTS BASED ON ABUSE.—An action founded
3144 on alleged abuse, as defined in s. 39.01 ~~or~~ s. 415.102, ~~or s.~~
3145 ~~984.03~~; incest, as defined in s. 826.04; or an action brought
3146 pursuant to s. 787.061 may be commenced at any time within 7
3147 years after the age of majority, or within 4 years after the
3148 injured person leaves the dependency of the abuser, or within 4
3149 years from the time of discovery by the injured party of both
3150 the injury and the causal relationship between the injury and
3151 the abuse, whichever occurs later.

3152 Section 42. Subsection (1) of section 409.2564, Florida
3153 Statutes, is amended to read:

3154 409.2564 Actions for support.—

3155 (1) In each case in which regular support payments are not
3156 being made as provided herein, the department shall institute,
3157 within 30 days after determination of the obligor's reasonable
3158 ability to pay, action as is necessary to secure the obligor's
3159 payment of current support, any arrearage that may have accrued
3160 under an existing order of support, and, if a parenting time
3161 plan was not incorporated into the existing order of support,
3162 include either a signed, agreed-upon parenting time plan or a
3163 signed Title IV-D Standard Parenting Time Plan, if appropriate.
3164 The department shall notify the program attorney in the judicial
3165 circuit in which the recipient resides setting forth the facts
3166 in the case, including the obligor's address, if known, and the
3167 public assistance case number. Whenever applicable, the
3168 procedures established under chapter 88, Uniform Interstate
3169 Family Support Act, chapter 61, Dissolution of Marriage;
3170 Support; Time-sharing, chapter 39, Proceedings Relating to
3171 Children, chapter 984, Children and Families in Need of



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3172 Services; Prevention and Intervention for School Truancy and
3173 Ungovernable and Runaway Children, and chapter 985, Delinquency;
3174 Interstate Compact on Juveniles, may govern actions instituted
3175 under this act, except that actions for support under chapter
3176 39, chapter 984, or chapter 985 brought pursuant to this act
3177 shall not require any additional investigation or supervision by
3178 the department.

3179 Section 43. Paragraph (e) of subsection (1) of section
3180 419.001, Florida Statutes, is amended to read:

3181 419.001 Site selection of community residential homes.—

3182 (1) For the purposes of this section, the term:

3183 (e) "Resident" means any of the following: a frail elder as
3184 defined in s. 429.65; a person who has a disability as defined
3185 in s. 760.22(3)(a); a person who has a developmental disability
3186 as defined in s. 393.063; a nondangerous person who has a mental
3187 illness as defined in s. 394.455; or a child who is found to be
3188 dependent as defined in s. 39.01 ~~or s. 984.03~~, or a child in
3189 need of services as defined in s. 984.03 ~~or s. 985.03~~.

3190 Section 44. Subsection (3) of section 744.309, Florida
3191 Statutes, is amended to read:

3192 744.309 Who may be appointed guardian of a resident ward.—

3193 (3) DISQUALIFIED PERSONS.—No person who has been convicted
3194 of a felony or who, from any incapacity or illness, is incapable
3195 of discharging the duties of a guardian, or who is otherwise
3196 unsuitable to perform the duties of a guardian, shall be
3197 appointed to act as guardian. Further, no person who has been
3198 judicially determined to have committed abuse, abandonment, or
3199 neglect against a child as defined in s. 39.01 or s. 984.03(1),
3200 (2), and (24) ~~(37)~~, or who has been found guilty of, regardless



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3201 of adjudication, or entered a plea of nolo contendere or guilty
3202 to, any offense prohibited under s. 435.04 or similar statute of
3203 another jurisdiction, shall be appointed to act as a guardian.
3204 Except as provided in subsection (5) or subsection (6), a person
3205 who provides substantial services to the proposed ward in a
3206 professional or business capacity, or a creditor of the proposed
3207 ward, may not be appointed guardian and retain that previous
3208 professional or business relationship. A person may not be
3209 appointed a guardian if he or she is in the employ of any
3210 person, agency, government, or corporation that provides service
3211 to the proposed ward in a professional or business capacity,
3212 except that a person so employed may be appointed if he or she
3213 is the spouse, adult child, parent, or sibling of the proposed
3214 ward or the court determines that the potential conflict of
3215 interest is insubstantial and that the appointment would clearly
3216 be in the proposed ward's best interest. The court may not
3217 appoint a guardian in any other circumstance in which a conflict
3218 of interest may occur.

3219 Section 45. Section 784.075, Florida Statutes, is amended
3220 to read:

3221 784.075 Battery on detention or commitment facility staff
3222 or a juvenile probation officer.—A person who commits a battery
3223 on a juvenile probation officer, as defined in ~~s. 984.03~~ or s.
3224 985.03, on other staff of a detention center or facility as
3225 defined in s. 984.03 ~~s. 984.03(19)~~ or s. 985.03, or on a staff
3226 member of a commitment facility as defined in s. 985.03, commits
3227 a felony of the third degree, punishable as provided in s.
3228 775.082, s. 775.083, or s. 775.084. For purposes of this
3229 section, a staff member of the facilities listed includes



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3230 persons employed by the Department of Juvenile Justice, persons
3231 employed at facilities licensed by the Department of Juvenile
3232 Justice, and persons employed at facilities operated under a
3233 contract with the Department of Juvenile Justice.

3234 Section 46. Paragraph (b) of subsection (4) of section
3235 985.618, Florida Statutes, is amended to read:

3236 985.618 Educational and career-related programs.-

3237 (4)

3238 (b) Evaluations of juvenile educational and career-related
3239 programs shall be conducted according to the following
3240 guidelines:

3241 1. Systematic evaluations and quality assurance monitoring
3242 shall be implemented, in accordance with s. 985.632(1), (2), and
3243 (4) ~~(5)~~, to determine whether the programs are related to
3244 successful postrelease adjustments.

3245 2. Operations and policies of the programs shall be
3246 reevaluated to determine if they are consistent with their
3247 primary objectives.

3248 Section 47. This act shall take effect July 1, 2025.

3249

3250 ===== T I T L E A M E N D M E N T =====

3251 And the title is amended as follows:

3252 Delete everything before the enacting clause
3253 and insert:

3254 A bill to be entitled

3255 An act relating to juvenile justice; renaming ch. 984,
3256 F.S.; amending s. 984.01, F.S.; revising the purposes
3257 and intent of ch. 984, F.S.; amending s. 984.02, F.S.;
3258 revising the legislative intent for prevention and



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3259 intervention; amending s. 984.03, F.S.; providing and
3260 revising definitions; amending s. 984.04, F.S.;

3261 deleting legislative intent; revising requirements for
3262 early truancy intervention; amending s. 984.06, F.S.;

3263 revising provisions concerning preservation of records
3264 and confidential information; amending s. 984.07,
3265 F.S.; providing for appointment of counsel in certain
3266 circumstances; providing for payment of counsel;

3267 providing for imposition of costs of appointed counsel
3268 on nonindigent parents in certain circumstances;

3269 providing for appointment of counsel to represent a
3270 parent or guardian in certain circumstances; amending
3271 s. 984.071, F.S.; revising provisions concerning
3272 production of an information guide concerning juvenile
3273 procedures; requiring specified departments to post
3274 the information guide on their websites; repealing s.
3275 984.08, F.S., relating to attorney fees; repealing s.
3276 984.085, F.S., relating to sheltering and aiding
3277 unmarried minors; creating s. 984.0861, F.S.;

3278 prohibiting the use of detention for specified
3279 purposes; amending s. 984.09, F.S.; revising
3280 provisions for a child's punishment for contempt of
3281 court; limiting periods for placement for direct
3282 contempt or indirect contempt; revising procedures for
3283 procedure and due process; amending s. 984.10, F.S.;

3284 authorizing an authorized agent of the Department of
3285 Juvenile Justice to perform intake; revising
3286 provisions concerning referrals for service; requiring
3287 the abuse hotline to be contacted in certain



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3288 circumstances; authorizing a child to remain in
3289 custody in certain circumstances; amending s. 984.11,
3290 F.S.; requiring that an array of voluntary family
3291 services be available to remediate specified problems;
3292 providing that certain families are not eligible for
3293 voluntary family services; providing eligibility for
3294 children in certain circumstances if the Department of
3295 Children and Families agrees; providing for an
3296 interagency agreement to govern such referrals;
3297 amending s. 984.12, F.S.; requiring parents to use
3298 health care insurance to the extent that it is
3299 available; deleting provisions concerning collection
3300 of fees; amending s. 984.13, F.S.; authorizing that a
3301 child be taken into custody pursuant to a finding of
3302 contempt; specifying placement a child taken into
3303 custody in specified circumstances; revising the
3304 duties of a person taking a child into custody;
3305 amending s. 984.14, F.S.; revising provisions
3306 concerning voluntary shelter services and placement of
3307 children in such services; deleting provisions
3308 concerning involuntary placement in a shelter;
3309 amending s. 984.15, F.S.; revising requirements for
3310 petitions for a child in need of services; amending s.
3311 984.151, F.S.; providing for early truancy
3312 intervention; providing for additional services to be
3313 ordered if a student is found to be a truant status
3314 offender; revising provisions concerning compliance;
3315 providing for applicability in cases in which a
3316 student is found to be a child in need of services;



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3317 providing for retention of jurisdiction by courts;
3318 providing an exception; providing for service of court
3319 orders on specified entities; amending s. 984.16,
3320 F.S.; requiring that a student's school receive notice
3321 of certain actions by courts; amending s. 984.17,
3322 F.S.; specifying when a guardian ad litem may be
3323 appointed; revising provisions concerning
3324 representation of the Department of Juvenile Justice
3325 in cases in which a child is alleged to be in need of
3326 services; repealing s. 984.18, F.S., relating to
3327 referral of child-in-need-of-services cases to
3328 mediation; amending s. 984.19, F.S.; providing that an
3329 authorized agent of the department may have a medical
3330 screening performed on a child placed in shelter care;
3331 revising provisions concerning consent for medical
3332 care for a child in the care of the department;
3333 amending s. 984.20, F.S.; revising provisions for
3334 hearings in child in need of services cases; providing
3335 that the failure of a person served with notice to
3336 appear at the arraignment hearing constitutes the
3337 person's consent to the child in need of services
3338 petition; requiring a specified notice in such
3339 petitions; amending s. 984.21, F.S.; specifying that
3340 an order of adjudication by a court that a child is a
3341 child in need of services is a civil adjudication and
3342 not a conviction; deleting provisions allowing a court
3343 to withhold an adjudication that a is child in need of
3344 services in certain cases; amending s. 984.22, F.S.;
3345 conforming provisions to changes made by the act;



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3346 deleting provisions on the deposit of fees received;
3347 amending s. 984.225, F.S.; revising when a child in
3348 need of services may be placed in a shelter; revising
3349 placement procedures; providing for counseling orders;
3350 specifying the effect of a placement the legal
3351 responsibilities of a parent, guardian, or custodian;
3352 providing limits for shelter stays; deleting
3353 provisions concerning exhaustion of less restrictive
3354 alternatives; providing for periodic review of
3355 placements; providing for transfer of a child to the
3356 Department of Children and Families in certain
3357 circumstances; authorizing transfer to the custody of
3358 the Agency for Persons with Disabilities in certain
3359 circumstances; amending s. 984.226, F.S.; authorizing
3360 contracting for physically secure shelters; deleting
3361 provisions on representation in certain proceedings;
3362 requiring exhaustion of less restrictive placements
3363 before a child may be placed in a physically secure
3364 shelter; providing a time limit on secure shelter
3365 orders; proving legislative intent; revising
3366 provisions concerning review of secure shelter
3367 placements; providing for transfer to shelter
3368 placements in certain circumstances; requiring a child
3369 to be transferred to the Department of Children and
3370 Families in certain circumstances; providing for the
3371 transfer of a child to the Agency for Persons with
3372 Disabilities in certain circumstances; transferring
3373 and renumbering s. 985.731, F.S. as s. 787.035, F.S.,
3374 relating to offenses concerning providing sheltering



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3375 unmarried minors and aiding unmarried minor runaways;
3376 providing criminal penalties; amending s. 985.03,
3377 F.S.; revising the definition of the term "child who
3378 has been found to have committed a delinquent act";
3379 amending s. 985.24, F.S.; prohibiting placement of a
3380 child subject to certain proceedings into secure
3381 detention care; amending s. 1003.26, F.S.; authorizing
3382 that certain meetings with parents may be conducted
3383 virtually or by telephone; providing for child study
3384 team meetings in the absence of a parent, legal
3385 guardian, or custodian or child; revising
3386 interventions by such team; providing for promotion of
3387 a child who is responsive to intervention and meets
3388 specified requirements; revising provisions concerning
3389 required notice of a child's enrollment or attendance
3390 issues; revising provisions concerning returning a
3391 student to a parent or other party in certain
3392 circumstances; amending s. 1003.27, F.S.; revising
3393 reporting requirements for reports by school
3394 principals to school boards concerning minor students
3395 who accumulate more than a specified number of
3396 absences; requiring actions by schools boards;
3397 providing for remedial actions for failure to comply;
3398 revising provisions concerning habitual truancy cases;
3399 revising provisions concerning cooperative agreements;
3400 revising who may begin certain proceedings and
3401 prosecutions; deleting a provision concerning a civil
3402 penalty for students; revising provisions concerning
3403 truant students; amending s. 381.02035, F.S.;



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3404 authorizing pharmacists employed by the Department of
3405 Juvenile Justice to import drugs from Canada under a
3406 specified program; amending s. 790.22, F.S.; revising
3407 provisions concerning the treatment of a finding that
3408 a minor violated specified provisions, regardless of
3409 whether adjudication was withheld, for the purposes of
3410 determining whether a prior offense was committed;
3411 amending s. 985.12, F.S.; deleting a requirement that
3412 the Department of Juvenile Justice annually develop
3413 and produce best practice models for prearrest
3414 delinquency citation programs; amending s. 985.126,
3415 F.S.; revising the requirements for a quarterly report
3416 on prearrest citation programs; amending s. 985.25,
3417 F.S.; providing for supervised release or detention of
3418 a child despite the child's risk assessment score in
3419 certain circumstances; limiting the number of
3420 categories that a child may be moved; amending s.
3421 985.433, F.S.; requiring that a child be placed on
3422 conditional release rather than probation following
3423 discharge from commitment; repealing s. 985.625, F.S.,
3424 relating to literacy programs for juvenile offenders;
3425 amending s. 985.632, F.S.; deleting a provision
3426 regarding development of a cost-effectiveness model
3427 and application of the model to each commitment
3428 program; amending ss. 95.11, 409.2564, 419.001,
3429 744.309, 784.075, and 985.618, F.S.; conforming
3430 provisions to changes made by the act; providing an
3431 effective date.