

**IN THE CIRCUIT COURT OF THE _____ JUCIDIAL CIRCUIT
IN AND FOR _____ COUNTY, STATE OF FLORIDA**

IN THE INTEREST OF:

JUVENILE DIVISION
CASE NO.:

A Child(ren).
_____ /

**ORDER ON JUDICIAL REVIEW/PERMANENCY REVIEW
AND NOTICE OF NEXT HEARING**

THIS CAUSE coming to be heard on _____(date) for Judicial Review on the report filed by the Department of Children and Family Services/ (CBC Name) (Department) in this cause under Chapter 39, Florida Statutes. The Court having heard testimony and argument, and having been otherwise duly advised in the premises finds as follows:

1. **Jurisdiction:** The child(ren) are pending adjudication OR the minor child(ren) who is/are the subject matter of these proceedings, was/were adjudicated dependent, continue to be dependent, is/are of an age subject to the jurisdiction of the court, and/or resident(s) of the State of Florida.

2. **Notice:** All persons entitled to notice of this hearing were properly noticed of the hearing and were provided a copy of documents filed for this hearing.

3. **Persons Present:** The following persons were present:

- Attorney for the Department: _____
- Child Welfare Case Manager: _____
- Mother: _____
- Attorney for Mother: _____
- Father: _____
- Attorney for Father: _____
- Attorney for Guardian ad Litem: _____
- Guardian ad Litem: _____
- Attorney ad Litem: _____

- Legal Custodian: _____
- Other: _____

4. **Counsel for Parents:** The parent(s) or guardian was/were advised of the right to be represented by counsel throughout all hearings of the dependency proceedings.

The mother _____ appeared in Court with counsel, or _____ knowingly, voluntarily, and intelligently waived their right to legal counsel.

The father, _____ (name), _____ (check) appeared in Court with counsel or _____ knowingly, voluntarily, and intelligently waived their right to legal counsel.

5. **Initial Placement:**

_____ The child(ren) was/were placed in a licensed shelter home with the Department of Children and Family Services OR placed in the physical custody of _____, in shelter status by Court Order on _____(date).

_____ The children were not removed from the home.

6. **Judicial Review Report:** The Department of Children and Family Services/(CBC Name) filed a Judicial Review Social Study Report/Case Plan Update/Permanency Report, which is in compliance with statutory requirements.

7. **Preparation of Case Plan:** The parents were notified of their right to participate in the preparation of the case plan and to receive assistance from any other person in the preparation of the case plan.

8. **Current Case Plan Goal:** The _____ mother/ _____ father _____ (name) is/are ordered to comply with a Case Plan setting forth reasonable tasks to accomplish in order to retain/regain custody of the child(ren). The

goal of the current Case Plan is _____

(indicate goal for each child) and the projected goal date is _____ (date).

The Case Plan in effect was accepted by the Court on

_____.

9. Compliance of Parents with Case Plan:

Mother: At the current hearing, evidence shows that the mother's compliance with the Case Plan is as follows (list tasks and status of compliance):

Based on the above information, the mother:

_____ Has not reached substantial compliance.

_____ Has reached substantial compliance.

Father_____ (name): At the current hearing, evidence shows that the father's compliance with the Case Plan is as follows (list tasks and status of compliance):

Based on the above information, the father:

_____ Has not reached substantial compliance.

_____ Has reached substantial compliance.

10. **Compliance of Department with Case Plan:** The Department of Children and Family Services/(CBC Name) _____ is/_____ is not in compliance with the terms of the case plan. Specifically

11. **Compliance of Parents with Visitation:**

Mother:

_____ Has complied with court ordered visitation.

_____ Has not complied with court ordered visitation.

Father _____ (name):

_____ Has complied with court ordered visitation.

_____ Has not complied with court ordered visitation.

12. **Continued Placement.**

_____ **Out-of-Home Placement:** It is in the best interests of the child(ren) to remain out of the parents' home at this time. The child(ren) is/are receiving safe and proper care. The child(ren)'s current placement is the least restrictive, is appropriate, is in a setting that is as family-like and as close to the parent's home as possible, is consistent with the child(ren)'s best interest and special needs, and is designed to maintain stability in the child's educational placement. Continuation of the child(ren) in that home is contrary to the welfare of the child(ren) because the home situation presents a substantial and immediate danger to the child(ren) which cannot be mitigated by the provision of the preventative services at this time. As specified in the Judicial Review Social Study

Report/Case Plan Update/Permanency Report filed by the Department of Children and Family Services/(CBC Name) for the purposes of this hearing, if the child(ren) are out of the home, reasonable efforts to prevent removal and eliminate the need for removal of the child(ren) from the home have been made by the Department of Children and Family Services/(CBC Name) and/or reunify; however, there is continued need for out-of-home placement to ensure the child(ren)'s health, safety and well-being, and reunification with the biological mother and/or father at this time would be detrimental to the welfare and contrary to the best interests of the child(ren).

The out-of home placement is:

_____ Foster Care with the Department. Diligent efforts were made by the Department of Children and Family Services/(CBC Name) to locate an adult relative or non-relative caregiver willing to care for the child(ren) in order to present that placement option to this Court instead of continued placement with the Department of Children and Family Services/(CBC Name). There are no known available relative or non-relative caregivers with whom the child(ren) can be placed at this time. A copy of the formal notice regarding a trust promulgated for the benefit of certain classes of children in care in Florida is attached as a means of providing notice. As set forth in the attached notice, representatives of the Department of Children and Family Services/(CBC Name) can provide additional information to the parents, custodians and Guardian ad Litem as might be appropriate with each specific case.

_____ Relative or non-relative placement.

_____ **In-Home Placement:** It is in the best interests of the child(ren) to remain or be returned to the custody of the parent(s), _____ (name) under

Protective Supervision with the Department at this time. The child(ren) can safely be reunified or remain in the custody of the parent(s) specified in the paragraph under Protective Supervision with the Department of Children and Family Services/(CBC Name)so long as the parent(s) continue(s) to comply with the Case Plan. The Court finds the reasons for removal have been remedied and the safety, well-being, and physical, mental, and emotional health of the child(ren) is/are not endangered by allowing the child(ren) to be reunified or remain in the custody of the parent(s) specified in this paragraph.

13. **Reasonable Efforts:** The Department has made reasonable efforts to achieve and/or finalize the permanency plan which is currently in effect. The Department, has made the following specific efforts:

14. **Likelihood of Reunification:** The likelihood of the child(ren)'s reunification with the parent(s) within 12 months after the removal of the child(ren) from the home is as follows:

_____ Reunification is likely within the above time period.

_____ Reunification is unlikely within the above time period and if concurrent planning is not already being used, the Department shall file a motion to amend the case plan and declare that it will use concurrent planning for the case plan.

15. **Permanency Consideration:** This hearing is within twelve (12) months from the child(ren)'s removal from the home and the child(ren) is/are not being returned to the physical custody of the parent(s). The Court has considered when the child(ren) will achieve the permanency goal or whether modifying the current goal is in the best interest of the child(ren). The Court has determined that the permanency goal for the children shall be:

_____ Reunification

_____ Adoption

_____ Permanent Guardianship

_____ Permanent Placement with a Fit and Willing Relative

_____ Placement in Another Planned Permanent Living Arrangement

The compelling reasons for the above permanency goal are as follows:

16. **Guardian Ad Litem:** A guardian ad litem:

_____ is currently appointed.

_____ should be appointed.

_____ has been appointed but there is no guardian ad litem available.

17. **Statutory Compliance:** The Court finds that all of the requirements set forth in Section 39.701, Florida Statutes, regarding Judicial Review have been met.

OPTIONAL [Pursuant to Section 39.601(3)(f), Florida Statutes, if the children are school age, the Court finds that the Department of Children and Family

Services/(CBC Name) has made reasonable and adequate efforts to maintain the stability of the educational placement(s) of the child(ren).]

Accordingly, it is **ORDERED AND ADJUDGED** that:

1. **Placement:** The child(ren) shall be placed or continued in the custody of:

_____ Mother; _____ Father _____ (name)

_____ The Department

_____ Temporary Custodian _____ (name)

_____ Permanent Guardian _____ (name)

_____ Fit and Willing Relative _____ (name)

2. **Compliance with Case Plan:** The parties shall continue to comply with the terms of the Case Plan and obey previous Court ordered directives.

3. **Case Plan Goal:** The Case Plan Goal shall be _____ (insert goal).

4. **Amendment of Case Plan:**

_____ No Case Plan Amendments are required at this time.

_____ The Department shall file an amended case plan by _____ (date).

5. **Consent to Treatment:** So long as the parents are unavailable, an authorized agent of the Department of Children and Family Services/(CBC Name), including an adult relative or non-relative caregiver if the child(ren) is/are placed with such relative or non-relative caregiver, may consent to the ordinary and necessary medical and dental examinations and treatment, including Early Periodic Screening, Diagnosis and Treatment (EPSDT) blood testing and other blood testing deemed diagnostically necessary by documented history or symptomatology; preventive care

including ordinary immunizations, tuberculin testing, well-child care, but not including surgery, general anesthesia, HIV, and controlled substance blood testing, or other extraordinary procedures for which separate Court order or informed consent as provided by law shall be required.

6. **Medical Information:** The parents, legal custodians, legal guardians, or other caregivers, as applicable, shall provide the Department with all known information on the medical care and history of the child that is currently in their possession, including the names of all current and former medical providers of the child, within 24 hours of this order, and shall execute appropriate authorizations to release the child's medical information and records. Upon presentation of a copy of this order, a legal custodian appointed in these proceedings, or in the absence of such a legal custodian, the Department, its community based care contracted providers, including shelter/foster parents, or the person primarily responsible for the case management of the child, is hereby authorized to obtain copies of the child's medical records from any entity, including but not limited to, public and private health care providers and facilities, and may execute appropriate authorizations to release the child's medical information and records. Providers and facilities may require identification and a signature to ensure compliance with state and federal medical records laws.

7. **Child(ren)'s Records:** The parents shall make all medical, dental, psychological, psychiatric records and school records of the child(ren) available to the Department of Children and Family Services/(CBC Name), and authorize the release of such records as needed for the continued supervision, care and custody of the child(ren). So long as the parents are unavailable, an authorized agent of the Department of Children

and Family Services/(CBC Name), including an adult custodian, if the child(ren) is/are placed with such adult custodian, may consent to the release of such records as needed for the continued supervision, care and custody of the child(ren).

8. **Prior Orders.** All prior orders not inconsistent with this present order shall remain in full force and effect.

9. **Retention of Jurisdiction.** The Court retains jurisdiction over the parties hereto and subject matter hereof to make such other and further Orders as the Court may deem necessary and proper.

10. **Child Support Jurisdiction.** By order of this Court, jurisdiction is reserved or relinquished and transferred to the appropriate division of Circuit Court in all matters relating to paternity, support, insurance or reimbursement of the past public assistance obligation not addressed or disposed of by this court in these proceedings. The Title IV-D Child Support Enforcement Program, Section 409.2551-2597, Florida Statutes, shall be entitled to petition the Circuit Court for paternity, support, insurance or reimbursement of the past public assistance obligation. In reserving, relinquishing and transferring jurisdiction in the aforementioned matters to the appropriate division of the Circuit Court, this Court is fulfilling the requirements of Chapter 39, Florida Statutes.

11. **Travel:** The foster parents or the out-of-home caregiver(s) of the child(ren) shall have the right to travel with the child(ren) within the continental United States for a period not to exceed fourteen (14) consecutive days outside of the State of Florida without further order of the Court. Any visitation that is scheduled during the travel period will be made up within 30 days of the child(ren)'s return. If any party objects to such travel, a hearing shall be scheduled.

12. **Removal of Child(ren) from Jurisdiction:** The child(ren) shall not be removed from the Court's jurisdiction (Counties) without first obtaining the permission of the Department of Children and Family Services/(CBC Name).

13. **Judicial Review Hearing:** A Judicial Review hearing is scheduled for _____, at _____ a.m. / p.m., before the Honorable _____ (name of judge) or the Magistrate _____ (name of magistrate) at the _____ (name of courthouse/address).

14. **Additional Rulings:** _____

15. **Report of Missing Child(ren):** The custodians of any child(ren) subject to the jurisdiction of this Court are hereby directed to notify local law enforcement and the Department of Children and Family Services/(CBC Name) immediately at any time that the child(ren) is/are determined to be missing or the child(ren)'s whereabouts are unknown.

DONE AND ORDERED in _____ County, Florida, this _____ day of _____, 200__.

CIRCUIT JUDGE

Copies to: