

JUVENILE DEPENDENCY PROCEEDINGS

This section provides guidance on procedures to be used when completing the juvenile dependency portion of the monthly Juvenile SRS form. For ease of following the SRS form, this section is divided into the major sections indicated on the form. Each **U** or **Y** indicates guidelines and directions that should be followed when completing specific sections of the SRS form.

Note: The section entitled Case Type Determinations (page 7-8) provides case type and category definitions. The SRS reporting form for the Juvenile Dependency division is located in the tabbed section entitled SRS Reporting Forms (page 12-7, Part II).

Number of Petitions Filed

Please refer to section “A” of the SRS form which reports information associated with the number of dependency petitions filed during the specified reporting period.

- U** Report the number of **dependency petitions** filed pursuant to section 39.501, Florida Statutes, during the reporting period.
- U** Report petitions for children in need of services as provided under section 984.15, Florida Statutes.
- U** Report petitions to remove the disabilities of non-age of minors filed pursuant to section 743.015, Florida Statutes.
- U** Report **one filing** when multiple children are named on one petition. The number of **petitions** filed should be reported, not the number of children.
- U** Report petitions for dependency transferred to the reporting court from another court or jurisdiction for disposition purposes. Report the number of **petitions** not the number of children named on the petition (See Number of Petitions Filed, page 7-2 and Frequently Asked Questions, page 7-9).

The following items identify common reporting errors. Please check these items to ensure that the SRS report **does not** include these reporting errors.

- Y** **DO NOT** report the number of children listed on a dependency petition. Report only the number of dependency petitions filed during the specified reporting period.
- Y** **DO NOT** report **truancy petitions** filed pursuant to section 984.151, Florida Statutes (See Frequently Asked Questions, page 7-9).
- Y** **DO NOT** include petitions filed on children with cases previously reported as disposed that are resubmitted to the court (See Number of Reopened Cases, page 7-5).
- Y** **DO NOT** report petitions for dependency transferred to the reporting court from another

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court or jurisdiction for supervision purposes (See Number of Reopened Cases, page 7-5).

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Number of Petitions Disposed

Please refer to section “B” of the SRS form which reports information associated with the number of petitions disposed during the specified reporting period. For reporting purposes, petitions are to be reported as disposed after an order of disposition is filed with the clerk.

Note: A **contested** dependency case is defined as one in which an adjudicatory trial is held pursuant to section 39.507, Florida Statutes. An **uncontested** dependency case is one in which, “... the parent or legal custodian consents or admits to the allegations” contained in the dependency petition and consequently proceeds directly from the arraignment hearing to the disposition hearing, pursuant to sections 39.506 and 39.521, Florida Statutes (See Frequently Asked Questions, page 7-9).

Contested

The following guidelines refer to dispositions that occur after an adjudicatory trial is held (See Frequently Asked Questions, page 7-9).

- U Report the number of dependency petitions disposed of where **an adjudicatory trial is held**.
- U Report only one disposition when multiple children are named on one petition.
- U Report the disposition which occurs first, when there are multiple dispositions.

The following item is a common reporting error. Please check this item to ensure that the SRS report does not include the reporting error.

- Y **DO NOT** include the dispositions of reopened cases (See Number of Reopened Cases, page 7-5).

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Uncontested

The following guidelines refer to dispositions that occur without an adjudicatory trial (See Frequently Asked Questions, page 7-9).

- U Report the number of dependency petitions disposed of where **an adjudicatory trial is not held**.
- U Report one disposition when multiple children are named on one petition.
- U Report dependency cases consolidated into another case with other siblings.
- U Report the disposition which occurred first, when there are multiple dispositions.
- U Report petitions dismissed by the court or the Department.

The following item is a common reporting error. Please check this item to ensure that the SRS report does not include the reporting error.

- Y **DO NOT** report the dispositions of reopened cases (See Number of Reopened Cases, page 7-5).

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Total Number of Petitions Disposed

Please refer to section “C” of the SRS form which reports information associated with the number of dependency petitions disposed during the specified reporting period.

- U Report the total number of contested and uncontested dependency petitions disposed in this section.

NOTE: As a reminder, please verify that section “C”, Total Number of Petitions Disposed, reflects the sum of section “B1”, Contested, and section “B2”, Uncontested.

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Number of Reopened Cases

Please refer to section “D” of the SRS form which reports information associated with the number of reopened cases during the specified reporting period.

- U** Report each motion or petition filed subsequent to the disposition of the case.
- U** Some examples include but are not limited to petitions or motions for:
 - C** Extraordinary relief;
 - C** Rehearings;
 - C** Medical or psychiatric treatment;
 - C** Change of custody;
 - C** Order to show cause;
 - C** Attorney's fees; and
 - C** Non-fulfillment of performance agreement.
- U** If several motions or petitions are filed on the same day for the same case then report only one reopening. However, if several motions are filed during the reporting period on different days then each motion or petition is reported as a reopened case.
- U** Report cases transferred for jurisdiction/supervision purposes if they are reactivated or resubmitted to the court.

The following item is a common reporting error. Please check this item to ensure that the SRS report does not include the reporting error.

- Y** **DO NOT** report the petitions for termination of parental rights in the reopened case category. Petitions for termination of parental rights should be reported in section “G” of the SRS reporting form for the Dependency division (See Number of Petitions for Termination of Parental Rights, page 7-6).

Number of Judicial Review Hearings

Please refer to section “E” of the SRS form which reports information associated with the number of judicial review hearings held during the specified reporting period.

- U** Report the number of hearings before a judge or general master whose purpose is to determine the status of children remaining in foster care or any status of a child pursuant to section 39.521, Florida Statutes (See Frequently Asked Questions, page 7-10).

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Number of Shelter Hearings

Please refer to section “F” of the SRS form which reports information associated with the number of shelter hearings held during the specified reporting period.

- U** Report the number of hearings held to determine whether a child is to be sheltered, continued to be sheltered or released while proceedings are pending in the case pursuant to section 39.402, Florida Statutes (See Frequently Asked Questions, page 7-10).

Number of Petitions For Termination of Parental Rights

Please refer to section “G” of the SRS form which reports information associated with the number of petitions for termination of parental rights filed during the specified reporting period.

- U** Report the number of petitions for termination of parental rights filed pursuant to section 39.802, Florida Statutes, during the reporting period.

The following item is a common reporting error. Please check this item to ensure that the SRS report does not include the reporting error.

- Y** **DO NOT** report the **disposition** of petitions for termination of parental rights reported in section “G” of the SRS reporting form for the Dependency division.

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Number of Petitions for Adoption

Please refer to section “H” of the SRS form which reports information associated with the number of petitions for adoption filed during the specified reporting period.

- U** Report the number of petitions for adoption filed in the Dependency division in accordance with the provisions of section 39.812(5), Florida Statutes, during the reporting period. This reporting category is meant to capture the judicial workload imposed on judges assigned to the dependency division, as a result of the continuing jurisdiction provision contained in section 39.813, Florida Statutes.

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The following item is a common reporting error. Please check this item to ensure that the SRS report does not include the same reporting error.

- Y** **DO NOT** report the **disposition** of petitions for adoption reported in section “H” of the SRS reporting form for the Dependency division.

NOTES

Case Type Determinations

The following list includes the types of proceedings that are included for each SRS case type. To select the correct SRS case type you should follow these procedures:

1. Review each petition or complaint and determine the issue involved;
2. Select the appropriate SRS case type for the issue indicated within the petition or complaint; and
3. Report the petition or complaint under the correct SRS case type on the Juvenile SRS form.

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- ? All matters relating to children who have been abandoned, abused or neglected by parents or other custodian pursuant to Chapter 39, Florida Statutes; surrendered for the purpose of adoption pursuant to Chapter 39, Florida Statutes; or children in need of services pursuant to Chapter 984, Florida Statutes.

If you are unable to determine the correct SRS case type, contact Court Services staff at (850) 922-5094 or Suncom 292-5094.

NOTES

Juvenile Dependency Division Fre quently Asked Questions

FREQUENTLY ASKED QUESTIONS

1. (Q) Should dependency cases transferred for supervision purposes only be reported as new filings for SRS?

(A) No, do not report cases transferred for supervision only. However, you should report cases transferred for disposition purposes as new filings.

2. (Q) Should truancy petitions be reported for SRS?

(A) As of the release of this manual (January 2002), truancy petitions are not captured by SRS. As such, do not report truancy petitions as new filings. If this requirement changes in the future, the change will be addressed with an SRS technical memorandum.

3. (Q) Should dependency petitions be reported as disposed upon the adjudication of dependency or the order of disposition?

(A) Dependency petitions should be reported as disposed upon the order of disposition. If there are multiple parties involved in a dependency proceeding, (i.e. multiple parents/guardians), report the petition as disposed for SRS purposes upon the first order of disposition.

4. (Q) What distinguishes a contested dependency case from an uncontested dependency case?

(A) A contested dependency case is defined as one in which an adjudicatory trial is held pursuant to section 39.507, Florida Statutes. An uncontested dependency case is one in which, "... the parent or legal custodian consents or admits to the allegations" contained in the dependency petition and consequently proceeds directly from the arraignment hearing to the disposition hearing, pursuant to sections 39.506 and 39.521, Florida Statutes.

5. (Q) Should the disposition of a dependency case be reported when the judge renders his or her decision, or when the order of disposition is received and date-stamped by the clerk?

(A) For SRS purposes, report the disposition of any petition or complaint based upon the date-stamp, not the date the decision was rendered by the court. This allows for consistency when verifying the SRS data via field audits and ensures that appropriate documentation is provided to the clerk of court.

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6. (Q) How should shelter hearings be reported when there are multiple juveniles involved?

(A) In this circumstance, report the number of hearings, not the number of juveniles.

7. (Q) Should a judicial review hearing be reported if it is conducted by a magistrate/hearing officer, with a judge signing off on the report or order resulting from the hearing? What about when the hearing is conducted by a Citizens' Review Board?

(A) In both circumstances, the hearings should be reported for SRS purposes. Currently, we are viewing these supplemental resources as contributors to judicial workload, as the judge usually reviews the report or order resulting from the hearing, and consequently signs the order or report. Citizens review panels are a supplemental resource available to each judicial circuit if they choose to establish one. The purpose of SRS is to measure judicial workload. Although, the Foster Care Citizens Review Board conducts the foster care hearing, the judge still has the responsibility of reviewing all recommendations and has the final authority in the case.

8. (Q) Should a foster care review hearing be reported when the document setting the hearing is filed or on the date of the hearing itself?

(A) Report the foster care review hearing based on the date the hearing is held, not on the paperwork setting the hearing. Oftentimes, a hearing is set, then subsequently canceled or continued to a later date. For SRS purposes, the number of actual hearings should be reported in this category, not the motions or notices to set the hearings.

9. (Q) Should petitions for Termination of Parental Rights (TPR) be reported as new filings or in the reopened case category?

(A) In 1997, a reporting category was added to the SRS form for the juvenile dependency division to capture TPRs (please see the tabbed section of the manual entitled SRS Reporting Forms, page 12-7). Please report all TPRs filed in the juvenile dependency division in this category.

10. (Q) How should the disposition of petitions for Termination of Parental Rights (TPR) be reported for SRS?

(A) Currently, the dispositions of TPRs are not reported for SRS. If this

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requirement changes in the future, the change will be addressed with an SRS technical memorandum.