

**IN THE FOURTH JUDICIAL CIRCUIT COURT IN AND  
FOR DUVAL COUNTY, FLORIDA  
JUVENILE DIVISION**

**IN THE INTEREST OF:**

**CASE NO.**

MINOR CHILD(REN)

\_\_\_\_\_ /

**ORDER ON EMERGENCY MOTION FOR TEMPORARY CHANGE OF PLACEMENT**

THIS CAUSE came before the Court on \_\_\_\_\_, 2007 on the Emergency Motion to Modify Custody pursuant to Florida Statutes 39.522 and Florida Rules of Juvenile Procedure Rule 8.345, filed by the Department of Children and Families (Department). The Court, having considered the Motion and having been otherwise fully advised in the premises finds:

1. **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.

2. **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: \_\_\_\_\_

3. **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 her right to legal counsel.

The father, \_\_\_\_\_, \_\_\_\_\_ appeared in Court with counsel or \_\_\_\_\_ knowingly, voluntarily, and intelligently waived his right to legal counsel.

4. The court has jurisdiction over the subject matter of this cause. The child(ren) is/are of an age subject to the jurisdiction of the court and is/are resident(s) of the State of Florida. The child(ren) was/were adjudicated dependent and continue(s) to be dependent.



1. The Emergency Motion to Modify Custody is granted.
  
2. The minor child(ren) shall be placed in the care and custody of \_\_\_\_\_ . The placement shall be under the supervision of the Department. The Department of Children and Families shall have placement and care responsibility while the child is under protective supervision in an out-of-home placement.
  
3. An Updated Child Welfare Case Plan shall be filed within thirty (30) days in accordance with this change of custody.
  
4. **Visitation:** The frequency and nature of visitation or contact between the child(ren) and the parents is as follows:

**Mother:**

\_\_\_\_ Supervised visitation with the children. The visitation shall be supervised at all times by the permanent guardian or an adult approved by the Department. The visitation shall occur on a schedule agreed by the parties and at a place agreed by the parties. The frequency of the visitation shall be:

\_\_\_\_ Unsupervised visitation with the children. The frequency of the visitation shall be:

\_\_\_\_ No contact. Reason:

\_\_\_\_ Other conditions:

**Father:**

\_\_\_\_ Supervised visitation with the children. The visitation shall be supervised at all times by the permanent guardian or an adult approved by the Department. The visitation shall occur on a schedule agreed by the parties and at a place agreed by the parties. The frequency of the visitation shall be:

\_\_\_\_ Unsupervised visitation with the children. The frequency of the visitation shall be:

\_\_\_\_ No contact. Reason:

\_\_\_\_ Other conditions:

5. **Travel:** Persons with care, visitation or custodial control over a child subject to this dependency action must allow the child protective investigator or dependency case manager access to the child upon request. They must notify the child protective investigator or dependency case manager within (2) days of any change to the child's residence, school, day-care, or any other changes in the child's location of care. The parent/parents or custodians are prohibited from removing the child from the county where the child is placed or this court's judicial circuit of Duval, Clay and Nassau Counties, without prior approval of the court and entry

of an order authorizing them to do so. Failure to comply with this order may be contempt of court and a crime under Florida Statute, Chapter 787.04.

If the Department, child protective investigator or dependency case manager is unable to locate a child subject to this dependency action, the Department or the case manager may notify local law enforcement and submit a missing child report. Law enforcement is directed to proceed with all missing child protocols including the commencement of a full investigation to locate the child.

6. **Medical Consent:** When a parent, legal custodian, or legal guardian is/is not available to consent to medical care, notwithstanding a reasonable effort to obtain such consent, a legal custodian appointed in these proceedings, or in the absence of such a legal custodian, the Department, its Community Based Care contracted agents, including shelter/foster parents, or the person primarily responsible for the care management of the child(ren), is hereby authorized to consent to the ordinary and necessary medical, dental, and psychological examination and treatment of the child, including blood testing, preventative care, ordinary immunizations, tuberculin testing and well-child care without further court order. Surgery, general anesthesia, provision of psychotropic medications, or other extraordinary medical procedures shall require a separate court order. Providers and facilities may require identification and a signature to ensure compliance with applicable state and federal law.

\_\_\_\_\_ The DCF/CBC is authorized to continue administering the child(ren)'s psychotropic medication. Absent the parent's authorization to continue psychotropic medications, said medications shall continue until further order of the court or unless changed by the child(ren)'s physician.

7. **Child(ren)'s Records:** The Department, its authorized agent/authorized designee, and/or agency responsible for providing services to this family is hereby authorized to obtain records regarding the above-named child(ren)'s medical, behavioral health and educational background so that a Comprehensive Behavioral Health Assessment may be conducted for the purposes of accomplishing permanency planning for the above-named child(ren). Any and all medical, behavioral health and educational records pertaining to the child(ren) shall be released to the Department, its authorized agent/authorized designee, and/or the agency responsible for providing services to this family so that a Comprehensive Behavioral Health Assessment may be conducted for the above-named child(ren). The Department of Children and Families is authorized to conduct a comprehensive behavioral assessment as defined in 39.01(17), Florida Statutes.

8. **Medical Information and Records:** 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(ren), including the names of all current and former medical providers of the child(ren), 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 agents, including shelter/foster parents, or the person primarily responsible for the care management of the child(ren), is hereby authorized to obtain copies of the child(ren)'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(ren)'s medical information and records. Providers and facilities may require identification and signature to ensure compliance with state and federal medical records laws.

9. All prior orders not inconsistent with the present order shall remain in full force and effect.

10. This court shall retain jurisdiction over this cause to enter any such further orders as may be deemed necessary for the best interest and welfare of the minor child(ren).

11. **Additional Rulings:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. **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 Families / \_\_\_\_\_ 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 Duval County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
CIRCUIT JUDGE

Copies to:

\_\_\_\_\_, Attorney for the Mother  
Guardian ad litem  
Family Services Counselor  
\_\_\_\_\_, Attorney for the Father

## ESI STAFFING CHECKLIST

NOTE: This form was developed by the Family Safety Management Team (FSP,CBC) on August 7, 2002 and is effective immediately. It is to be used in conjunction with the Service Planning Conference Checklist. (CFOP 175-88)

CHILDREN'S NAMES:

**MANDATORY** documents to be provided in their completed format at the ESI staffing:

- FAHIS Reports: Prior and Current
- Child Safety Assessment (CSA): Current and Up to Date
- Shelter Petition and Shelter Order (Signed copies, if available)
- Material Allegation Table (MAT)
- Child in Care Forms:
  - Title IVE
  - Title IVA-TANF
- Birth Certificate Verification (Or copy of request, if out of state)
- Chronological Notes
- Print Screens of HSN Case: (Current and Up to Date)
- Child Photographs
- Local Background Checks

**REQUIRED, IF THE FOLLOWING PERTAIN TO THE IDENTIFIED CASE:**

- Local Law Enforcement Reports: If case involved criminal investigation
- Approval of Relative/Non-Relative Placement:
  - Supervisory Sign-off
  - Background Checks
  - Results of Home Visit ("Walk Through")
- Copies of Previous Case Plans
- Diligent Search is to be initiated, if the location of **EITHER PARENT** is unknown. Minimally, this will include:
  - When removing the child(ren) ask the whereabouts of parents and document information
  - Auto Track (Document Results)
  - Check the Florida system (Document Results)
  - Check with relatives, neighbors, children – and document results
- Copies of completed Safety Plan(s), if required

Early Services Intervention GUIDELINES

1. The Early Services Intervention staffing must occur within 5-10 days of the identification of a case for ongoing service provision.
2. Once a Child Protective Investigator (CPI) has identified a potential case for ESI staffing, he/she must submit the case file to the Child Protective Investigator supervisor for review, concurrence and sign off to proceed. (The supervisor will not approve unless all the required documents are completed.)
3. After supervisory review and concurrence, the CPI will contact the appropriate services entity to schedule an ESI staffing.
4. Once the staffing date has been obtained, the CPI shall notify the assigned CWLS AND the CWLS Supervising Attorney as to the date, time and location of the ESI staffing.