



**State of Florida**

**Department of Children and Families**

**2008 ANNUAL REPORT ON  
CHILDREN IN OUT-OF-HOME CARE**

**Department of Children and Families  
Office of Family Safety  
March 1, 2009**

**George H. Sheldon  
Secretary**

**Charlie Crist  
Governor**

**DEPARTMENT OF CHILDREN AND FAMILIES  
ANNUAL REPORT ON CHILDREN IN OUT-OF-HOME CARE  
FOR CALENDAR YEAR 2008**

**Executive Summary**

The Annual Report on Children in Out-of-Home Care is required by section 409.1685, Florida Statutes. The Department of Children and Families is required to report to the substantive committees of the Florida Legislature concerning the status of children in foster care and concerning the judicial review mandated by part X of chapter 39. This report must be submitted by March 1 of each year and include the following information for the prior calendar year:

- (1) The number of 6-month and annual judicial reviews completed during that period.
- (2) The number of children in foster care returned to a parent, guardian, or relative as a result of a 6-month or annual judicial review hearing during that period.
- (3) The number of termination of parental rights proceedings instituted during that period which shall include:
  - (a) The number of termination of parental rights proceedings initiated pursuant to former s. [39.703](#); and
  - (b) The total number of terminations of parental rights ordered.
- (4) The number of foster care children placed for adoption during that period.

In the mid 1970s, the Florida Legislature established the original judicial review process that addressed permanency planning for children in out-of-home care. Federal guidelines for judicial reviews required reasonable efforts to prevent placement of children in out-of-home care and to assure timely reunification of children with their families.

By the late 1990s, federal and state judicial review requirements were amended to further strengthen timely permanency. In 2006, state statutes were amended again, emphasizing timely permanency. The mandate for judicial reviews, now found in section 39.701, Florida Statutes, was in response to concerns over an increasing number of children in foster care without a specific plan for securing timely permanency.

The term “foster care” used in Florida Statutes is interpreted to include all children in out-of-home care (both in licensed settings and in approved relative or non-relative settings). Therefore, this report provides current data regarding all children in out-of-home care, not only those who are in licensed foster care settings.

The legislature has established statutory requirements for achieving permanency for children in out-of-home care. The primary vehicle that guides permanency planning for children is a court-approved case plan. A case plan is developed for each child in out-of-home care within 60 days following the child's removal from his or her parental home. The case plan outlines the specific tasks and services for the child, the family, and the department deemed necessary to facilitate safe reunification. If reunification is not possible, an alternate permanency goal for the child may be termination of parental rights and subsequent adoptive placement.

Judicial reviews are hearings in the juvenile division of the Circuit Court conducted at mandated intervals to assess the progress of parents, staff and others toward the permanency goal established for children in out-of-home care. Section 39.621, Florida Statutes, establishes five permanency goals: reunification, adoption, permanent guardianship of a dependent child under section 39.6221, permanent placement with a fit and willing relative under section 39.6231 and permanent placement in another planned permanent living arrangement under section 39.6241. At the judicial review hearing, the case plan is reviewed and may be amended by the court. Section 39.701, Florida Statutes, provides judges the option of returning the child to his or her family, continuing the child in out-of-home care or initiating termination of parental rights proceedings. Time frames and judicial options are consistent with the federal Adoption and Safe Families Act.

Federal and state legislation require that a child's case plan be specific, goal-oriented and time limited, so that children move through out-of-home placement and achieve permanency as quickly as possible. When it is apparent that a child cannot return safely to his or her parents, a petition for termination of parental rights may be filed. Once the petition is granted by the court the child can legally be placed in a permanent adoptive placement.

## 2008 Statistical Summary

The following summary provides information required for this report and covers the reporting period for calendar year 2008:

- |   |                      |
|---|----------------------|
| 1. The number of judicial reviews completed during 2008:  | <b><u>70,104</u></b> |
| 2. The number of children in foster care returned to a parent, guardian or relative as a result of a 6-month or annual judicial review: | <b><u>13,555</u></b> |
| 3. The number of termination of parental rights proceedings initiated which include:  |                      |
| a. The number of termination of parental rights proceedings initiated pursuant to former s. 39.703, Florida Statute*:                   | <b><u>1,774</u></b>  |
| b. The number of terminations of parental rights ordered:   | <b><u>3,372</u></b>  |
| 4. The number of children placed for adoption during the calendar year 2008:  | <b><u>3,879</u></b>  |

\*Section 39.703, Florida Statute, has been repealed effective July 1, 2006. The relevant statutes are now contained in Sections 39.701 and 39.8055, Florida Statute.

All counts are based on the FSFN Data Repository as of February 3, 2009

## NOTICE OF FILING

<b>Reporting Agency:</b>	Department of Children and Families
<b>Recipient Agency:</b>	Governor, Senate President, House Speaker, Chairperson of the Appropriate Substantive Committees and Appropriation Committees
<b>Subject:</b>	Children in Out-of-Home Care Annual Report for Calendar Year 2008
<b>Report Due Date:</b>	March 1, 2009
<b>Statutory Requirements:</b>	Section 409.1685, Florida Statutes
<b>Abstract:</b>	<p>This is a legislatively mandated report on the status of children under the supervision of the Department of Children and Families and in foster care. The term "foster care" in Florida Statutes is interpreted to include all children in out-of-home care (both in licensed settings and those in approved relative and non-relative settings). The report concerns judicial reviews mandated by Part X, Chapter 39, Florida Statutes, and provides information for Calendar Year 2008 on:</p> <ol style="list-style-type: none"><li>1. The number of 6-month and annual judicial reviews completed during Calendar Year 2008: <span style="float: right;"><b><u>70,104</u></b></span></li> <li>2. The number of children in foster care returned to a parent, guardian or relative as a result of 6-month or annual judicial review: <span style="float: right;"><b><u>13,555</u></b></span></li> <li>3. The number of termination of parental rights proceedings instituted which include:<ol style="list-style-type: none"><li>a. The number of proceedings initiated pursuant to former s. 39.703, Florida Statute <span style="float: right;"><b><u>1,774</u></b></span></li> <li>b. The total number of terminations of parental rights ordered: <span style="float: right;"><b><u>3,372</u></b></span></li></ol></li> <li>4. The number of foster care children placed for adoption during the Calendar Year 2008: <span style="float: right;"><b><u>3,879</u></b></span></li></ol> <p>*Section 39.703, Florida Statutes, was repealed effective July 1, 2006. The relevant statutes are now in ss. 39.701 and 39.8055, Florida Statutes.</p> <p>Copies of this report may be obtained by contacting:</p> <p>Department of Children and Families Office of Family Safety 1317 Winewood Boulevard Tallahassee, FL 32399-0700</p> <p>Attention: Julie Mayo (850) 922-0375; e-mail <a href="mailto:Julie_Mayo@dcf.state.fl.us">Julie_Mayo@dcf.state.fl.us</a></p>

**LEGISLATIVELY MANDATED REPORT – STATUTORY REQUIREMENT**

<b>REPORT TITLE</b>	<b>STATUTORY REFERENCE</b>	<b>SPECIFICATIONS</b>
Annual Report on Children in Out-of-Home Care for Calendar Year 2008	section 409.1685, Florida Statutes	<p>This is a report on the status of children who are under the supervision of the Department of Children and Families and are in foster care. The term “foster care” used in Florida Statute has been interpreted to include all children in out-of-home care (both those in licensed settings and those in approved relative and non-relative settings). The report concerns judicial reviews mandated by Part X, Chapter 39, Florida Statutes, and provides information for Calendar Year 2007 on:</p> <ol style="list-style-type: none"> <li>1. The number of six-month and annual judicial reviews completed during that period:</li> <li>2. The number of children in foster care returned to a parent, guardian or relative as a result of a six-month or annual judicial review during that period:</li> <li>3. The number of termination of parental rights proceedings instituted during that period which shall include:               <ol style="list-style-type: none"> <li>a. The number of termination of parental rights proceedings initiated pursuant to section 39.703, Florida Statutes*:</li> <li>b. The number of terminations of parental rights ordered:</li> </ol> </li> <li>4. The number of foster care children placed for adoption during that period:</li> </ol> <p>*Section 39.703, Florida Statutes, was repealed effective July 1, 2006. The relevant statutes are now in ss. 39.701 and 39.8055, Florida Statutes.</p>