

**JUVENILE COURT RULES COMMITTEE  
2006 TWO-YEAR CYCLE AMENDMENTS**

The Juvenile Court Rules Committee invites comment on proposed two-year cycle amendments to the Florida Rules of Juvenile Procedure shown below. The proposed amendments will be filed with the court by February 1, 2006. The full text of the proposals can be found on The Florida Bar's website at [www.FloridaBar.org](http://www.FloridaBar.org). Interested persons have until November 1, 2005, to submit comments to Alan Abramowitz, Chair, 210 N. Palmetto Avenue, Ste. 440, Daytona Beach, FL 32114-3269.

<b>RULE/FORM</b>	<b>VOTE</b>	<b>EXPLANATION</b>
8.045	29-0-0	Amends subdivision (f)(5) to conform to subdivision (a), stating that a child issued a notice to appear must appear "in a designated court or governmental office."
8.090	11-6-3	Amends subdivision (a)(2) of the Speedy Trial rule to change the time from which speedy trial begins to run to "the date the summons issued on the filing of the petition was served." Conforms the rule to section 985.219, Florida Statutes.
8.135	29-0-0	Corrects cross-references to <i>Fla.R.App.P.</i> 9.140. The appellate rule was amended and sections re-numbered in 2002.
8.210	29-0-0	Amends subdivision (b) to conform to section 63.0425, Florida Statutes, as amended by Chapter 2003-58, Laws of Florida, regarding notice to grandparents of adoption proceedings.
8.257	(f) 29-0-0 (h) 23-0-0	Subdivision (f) has been amended to show that exceptions must be filed with the court. Subdivision (h) has been added to state that general magistrates may not conduct shelter hearings under section 39.402, Florida Statutes, or adjudicatory hearings under sections 39.507 and 39.809, Florida Statutes. Because a shelter hearing must occur within 24 hours there is no time for objections to the referral. Sections 39.507 and 39.809, Florida Statutes, both specify that an adjudicatory hearing must be conducted by a judge.
8.350	26-0-0	Adds subdivision (d) regarding standard of proof in conformity with <i>In re J.W.</i> , 890 So.2d 337 (Fla. 2d DCA 2004).
8.515	20-0-0	Subdivision (a)(2) has been amended to conform to section 57.082, Florida Statutes, regarding determination of indigent status in civil proceedings.
8.535	17-6-0	New subdivision (d) of this rule implements section 39.812(5), Florida Statutes, regarding withholding of consent to adoption by the Department of Children and Family Services.

8.911	20-0-0	Deletes the current Uniform Child Custody Jurisdiction and Enforcement Act affidavit and incorporates by reference <i>Fla.Sup.Ct.App.Fam.L. Form 12.902(d)</i>
8.964	29-0-0	Amends form to change “UCCJA” to “UCCJEA” to conform to sections 61.501 <i>et seq.</i> , Florida Statutes. Also makes style changes
8.966	34-0-1	Adds “the child” and “the attorney for the child” to the list or those attending the hearing at the beginning of the form. Replaces “by default” in items 2 and 3 with “for failure to appear after proper notice.” Defaults are not entered in dependency cases. However, failure to appear can result in entry of a consent. See section 39.506(3), Florida Statutes, and <i>Rule 8.225(c)(1)</i> . Also makes style corrections.
8.975	13-6-3	Creates a new form for an order withholding adjudication but finding the child dependent. Similar to <i>Form 8.966</i> .
8.980	29-0-0	Replaces “UCCJA” with “UCCJEA” to conform to sections 61.501 <i>et seq.</i> , Florida Statutes. Also makes style changes.
8.981	29-0-0	Replaces “UCCJA” with “UCCJEA” to conform to sections 61.501 <i>et seq.</i> , Florida Statutes. Also makes style changes.
8.983	19-0-2	A list of persons present before the court has been added, as in <i>Forms 8.965</i> and <i>8.966</i> . A sentence has been added to indicate which parent’s parental rights are being terminated. A new item under findings of fact has been added which states that the children “are at substantial risk of significant harm” and that termination of parental rights is “the least restrictive means to protect the child(ren) from harm.” In renumbered item 6, a statutory reference has been corrected and a list of the statutory factors in sections 39.810(1)–(11), Florida Statutes, has been added. A new item 7 has been added for use when parental rights of only one parent are being terminated. New item 8 allows a finding that continued grandparent visitation is not in the child’s best interest. New item 9 allows the court to make a finding regarding communication or contact with siblings or relatives. In the “Ordered and Adjudged” section, item 2 has been amended to allow the court to indicate the specific subdivision of section 39.806, Florida Statutes, under which parental rights are being terminated. Item 3 also adds statutory references supporting the placement of the children. Style changes have also been made.