

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

**FLORIDA'S CHILDREN FIRST,
INC.,**

Petitioner,

**Case Nos. 19-1603RU
19-1604RX**

vs.

**DEPARTMENT OF CHILDREN
AND FAMILIES,**

Respondent.

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JOINT STIPULATION OF SETTLEMENT

The Petitioner, Florida's Children First, Inc. ("FCF"), and the Respondent, Department of Children and Families ("the Department"), (jointly, "the Parties"), hereby enter into this settlement of the above-styled proceedings and jointly stipulate as follows:

1. The Parties have conferred in good faith and reached an agreement addressing the issues presented in these two consolidated proceedings.
2. The Department agrees to provide an Aftercare application with every Notice of Denial and Notice of Discharge related to Extended Foster Care to provide the youth with a smooth transition from Extended Foster Care to Aftercare services, should the youth voluntarily decide to enroll in the Aftercare program.

The Department further agrees to provide enrollment assistance to those youth who decide to enroll in Aftercare services.

3. The Department agrees to continue its work with the Department of Corrections (DOC), the Department of Juvenile Justice (DJJ), counties, and municipalities to provide Aftercare applications to all young adults housed by DOC, DJJ, a county, a municipality, or a private entity acting on behalf one of these governmental entities who are eligible for Aftercare services. The Department agrees to update the Petitioner on DOC, DJJ, county, and municipal implementation.

5. With respect to the issues raised in Case No. 19-1604RX, the Department shall, within 10 days of the filing of this Joint Stipulation of Settlement, publish notice of rule development, including the date for a rule workshop, relating to Florida Administrative Code Rules 65C-41.003, 65C-41.0031, and 65C-42.003. The rule workshop shall be followed within 20 days by the publication of a notice of proposed rules reflecting the following amendments:

- a. The revision of Rule 65C-41.003 and Forms 5377 and 5432 to allow reliance upon documentation contained in a young adult's case file, school records, or medical records to establish an inability to participate in the programs or activities set forth in section 39.6251(2)(a) through (d), Florida Statutes.
- b. The revision of Rule 65C-41.003 and Forms 5377 and 5432 to identify the health care professionals who may provide documentation of a young adult's inability to participate in the

programs or activities set forth in section 39.6251(2)(a) through (d), Florida Statutes, if such documentation does not already exist in the young adult's case file, school records, or health records.

- c. The revision of Rule 65C-41.0031 to delete language disallowing a young adult in extended foster care from living with a biological or legal parent.

6. The revision of Departmental policy to require that an Aftercare application be provided contemporaneously with a Notice of Denial or Notice of Discharge for Extended Foster Care. Policy guidance will include using Aftercare services to assist the youth in transitioning back to Extended Foster Care should that be part of the youth's Aftercare plan.

7. The Department further agrees that, subject to authorization from the custodial agency, it will continue to be involved with and remain in contact with those youth in the custody of DOC, DJJ, or a county or municipal detention facility who have elected to enroll in Aftercare services and to provide such services as will foster the young adult's progress toward successful independence.

8. FCF agrees to file a notice of voluntary withdrawal, without prejudice, within ten days of the filing of this Joint Stipulation of Settlement.

9 The Parties each agree to bear their own costs and attorneys' fees.

Respectfully submitted,

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| Attorney for the Petitioner, Florida's Children First, | Attorney for the Respondent, Department of Children and Families, |
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