

Draft Publication Summary

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| <p>Rule 8.217 (Attorney Ad Litem/<u>Attorney for the Child</u>)</p> | <p>In the rule title, adds “attorney for the child” to the title to make the rule more expansive.</p> <p>In subdivision (b), adds a sentence that specifies that the court must appoint an attorney for a child who is the subject of a motion to modify custody.</p> <p>In subdivision (d), adds “y” to “An”, deletes “ad litem”, and adds “appointed under this rule” for greater clarity for the reader.</p> <p>Adds a Committee Note to specify the statute amendment that required this rule amendment.</p> |
| <p>Rule 8.305 (Shelter Petition, Hearing, and Order)</p> | <p>In subdivision (b)(10), adds “, fictive kin, or nonrelatives” throughout subdivision to include the other priority placement options for the child.</p> <p>Adds a new subdivision (b)(3) regarding reasonable efforts to place the child in order of priority specified in the statute or why such placement is not a placement option or not in the child’s best interests.</p> <p>Renumbers subdivision (b)(3)–(b)(11) as (b)(4)–(b)(12) respectively to accommodate the new subdivision</p> |

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| | <p>(b)(3).</p> <p>Adds a Committee Note to specify the statute amendment that required this rule amendment.</p> |
| <p>Rule 8.345 (Post- Disposition Relief)</p> | <p>In subdivision (a), replaces “shall” with “must” in the third sentence for consistency with <i>In re Guidelines for Rules Submissions</i>, AOSC06-14 (Fla. 2006). Also, in the subdivision, deletes the second sentence in the subdivision and replaces it with a sentence that tracks the language in section 39.522, Florida Statutes. As well, modifies the fourth sentence to address who may object to the modification of placement.</p> <p>In subdivision (b)(1), replaces “shall” with “must” for consistency with <i>In re Guidelines for Rules Submissions</i>, AOSC06-14 (Fla. 2006). Also, in the subdivision, adds “as provided by law” as the factors the court must considered are listed in the new statutory changes and do not need to be repeated in the rule. Similarly, in the second sentence, adds a phrase regarding the best interest standards being provided by law. Last in this subdivision, deletes the current standard for changing custody and the subsequent factors listed as the factors are in the new statute and do not need to be repeated in the rule.</p> |

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| | <p>Adds a new subdivision (b)(2) to address the new rebuttable presumption created by 39.522(3)(b)1.</p> <p>Renumbers existing subdivision (b)(2) and (b)(3) to (b)(3) and (b)(4) respectively to accommodate the new subdivision (b)(2).</p> <p>Adds a Committee Note to specify the statute amendment that requires this rule amendment.</p> |
| 8.415 (Judicial Review of Dependency Cases) | <p>Adds a new subdivision (b)(3) that provides the requirements of a 16-year-old judicial review.</p> <p>Renumbers existing subdivision (b)(3) and (b)(4) as (b)(4) and (b)(5) respectively, to accommodate new subdivision (b)(3).</p> |
| <u>Rule 8.540 (Motion to Reinstate Parental Rights)</u> | Adds a new rule to address the new statute section 39.8155, Florida Statutes regarding motions to reinstate parental rights. |
| <u>Form 8.973A (Order on Judicial Review for Child Age 16)</u> | Adds a new form to be used at the judicial review of the 16 year old child. |
| <u>Form 8.973AB (Order on</u> | Renumbers the 17-year-old judicial review order to accommodate |

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| Judicial Review for Child Age 17 or Older) | <p>the new 16-year-old judicial review order.</p> <p>Removes language in the form that is no longer required by section 39.701(3), Florida Statutes, for judicial reviews for children who are 17 years old.</p> |
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