



**2025 LEGISLATIVE UPDATE SB 1344 IMPLEMENTATION:
CHILDREN AND FAMILIES IN NEED OF SERVICES; PREVENTION
AND INTERVENTION FOR SCHOOL TRUANCY AND
UNGOVERNABLE AND RUNAWAY CHILDREN**

Office of the General Counsel

CHAPTER 984, FLORIDA STATUTES

- Senate Bill 1344 made numerous revisions to Chapter 984, Florida Statutes. The Chapter is renamed to: **“Children and Families in Need of Services; Prevention and Intervention for School Truancy and Ungovernable and Runaway Children.”**
- Chapter 984 is updated to more clearly align with current practice, includes nonjudicial procedures, deletes unnecessary definitions, and updates other definitions.
- Clarifies the legislative intent that truant students, FINS and CINS youth are status offenders in need of intervention and as such must be treated differently than delinquents and dependent youth.



CHAPTER 984, FLORIDA STATUTES, s. 984.03(13)

- A new definition is added for early truancy intervention.
- "'Early truancy intervention' means action taken by a school or school district pursuant to s. 1003.26 to identify a pattern of nonattendance by a student subject to compulsory school attendance at the earliest opportunity to address the reasons for the student's nonattendance, and includes services provided by the school or school district, or the department or its authorized agent pursuant to s. 984.11, and may include judicial action pursuant to s. 984.151 or s. 1003.27."



CHAPTER 1003, Florida Statutes, s. 1003.26, School actions

- Provides a parent may attend the child study team meeting virtually or by telephone.
- If the parent or child fail to attend the child study team meeting, the school must still hold the meeting, make written recommendations and provide the recommendations to the parent within 7 days after the child study team meeting.
- Clarifies the requirement to refer a non-enrolled student's parent to the State Attorney, by directing the Superintendent to make a report to law enforcement and refer the case to the SAO.



CHAPTER 1003, Florida Statutes, s. 1003.27, School reporting

- Continues the school reporting requirement to the district of every student that accumulates 15 unexcused absences within 90 days.
- The calculation of 15 absences within 90 days are determined based on calendar days and are not limited to the span of one school quarter during which the nonattendance begins or ends.



CHAPTER 1003, Florida Statutes, s. 1003.27 continued, District actions

- The district school board must verify that the schools reporting students with 15 or more unexcused absences within a 90-day period have complied with the requirements of remediating truancy at the school level or pursuing appropriate court intervention for each student listed on the report.
- Any school not complying with the requirements shall provide a remedial action plan to the school board within 30 days and follow up within 90 days to confirm all truancy cases have been addressed.



CHAPTER 984, FLORIDA STATUTES, s. 984.151

- Clarifies a truancy petition may be filed seeking early truancy intervention.
- Requires the court to enter an order finding the student to be a truant status offender if the court determines the student has missed the number of school days alleged in the petition.
- Clarifies the court's powers are limited to entering orders to require the student to attend school and require the student and family to participate in services to encourage regular school attendance.



CHAPTER 984, FLORIDA STATUTES, s. 984.151 continued

- Addresses specific requirements the court may impose on the student and family.
- Requires the court to refer the case to the department's authorized agent for review by the case staffing committee if the student does not substantially comply with compulsory school attendance and court-ordered services, and the child meets the definition of a CINS.
- Requires regular court reviews to determine if the student is in substantial compliance or if the case should be referred to the case staffing committee.



CHAPTER 984, FLORIDA STATUTES, s. 984.151 continued

- The court is prohibited from placing the child in shelter unless the child is held in contempt pursuant to s. 984.09.
- Sets forth length of jurisdiction; addresses when the court may retain or must relinquish jurisdiction.
- Requires the clerk of court to serve any court order referring the case to voluntary family services or the case staffing committee to the department's office of general counsel and to the department's authorized agent.



CHAPTER 984, FLORIDA STATUTES, s. 984.03(40)

- A new definition is added for voluntary family services.
- "'Voluntary family services' means voluntary services provided by the department or an agency designated by the department to a family that has a child who is running away; who is ungovernable...; or who is a habitual truant or engaging in other serious behaviors that place the child at risk of future abuse, neglect, abandonment, or entering the juvenile justice system. The child must be referred to the department or an agency designated by the department to provide voluntary services to families and children."



CHAPTER 984, FLORIDA STATUTES, s. 984.11

- Requires the department or its authorized agent to offer an array of voluntary family services to address truancy, homelessness, runaway and ungovernable behavior.
- A family is not eligible for voluntary family services if at the time of the referral the child is under court-order supervision by DJJ for delinquency under Chapter 985, or under court-ordered supervision by the Department of Children and Families (DCF) under Chapter 39.
- A child under prearrest delinquency diversion or delinquency diversion services may receive voluntary family services.



CHAPTER 984, FLORIDA STATUTES, s. 984.11 continued

- If there is a pending investigation into an allegation of abuse, neglect or abandonment, the child may be eligible for voluntary family services if DCF agrees to the provision of services and makes a referral.
- An interagency agreement between DJJ and DCF will govern the referral process, which is contingent upon funding.
- DJJ must notify DCF if a referral from DCF is declined.



CHAPTER 984, FLORIDA STATUTES, s. 984.03(15)

- Definition of Family in need of services has been modified.
- "'Family in need of services' means a family that has a child who is running away; who is ungovernable and persistently disobeying reasonable and lawful demands of the parent or legal custodian and is beyond the control of the parent or legal custodian; or who is a habitual truant or engaging in other serious behaviors that place the child at risk of future abuse, neglect or abandonment or at risk of entering the juvenile justice system. ...A family is not eligible to receive voluntary family services if, at the time of the referral, the child is currently under court-ordered supervision by the department for delinquency under chapter 985 or under court-ordered supervision by the Department of Children and Families under chapter 39."



CHAPTER 984, FLORIDA STATUTES, s. 984.03(38)

- A new definition is added for truant status offender.
- "'Truant status offender' means a child subject to the jurisdiction of the court under s. 984.151 who has been found by the court to be truant while subject to compulsory education. The court's jurisdiction is limited to entering orders to require the child to attend school and participate in services to encourage regular school attendance. A truant status offender is not a delinquent child and may not be deemed to have committed a criminal or delinquent act solely due to failure to attend school."



CHAPTER 984, FLORIDA STATUTES, s. 984.04

- The court under s. 984.151 early truancy intervention is permitted to retain jurisdiction for up to 180 days. The court must terminate supervision and relinquish jurisdiction if the child substantially complies with the requirements of early truancy intervention, is no longer subject to compulsory education, or is adjudicated a child in need of services under s. 984.15.
- Jurisdiction attaches when the summons is served upon the child, legal guardian or custodian, or when the parties personally appear before the court for proceedings filed under ss. 984.15 or 984.151.



CHAPTER 984, FLORIDA STATUTES, s. 984.16

- Codifies into Chapter 984 the language existing in s. 1003.29 as to notice.
- Requires the clerk of court to provide notice to the student's school of any court order that involves a student's school, including but not limited to an order the student attend school, requiring the parent to participate in meetings with the school including parent-teacher conferences, Section 504 meetings or individualized education plan meetings to address the student's disability.



CHAPTER 984, FLORIDA STATUTES, s. 984.07

- Moves the right to counsel language previously located in s. 984.226 into s. 984.07.
- Clarifies a child alleged to be CINS or any child subject to an order to show cause, has a right to counsel.
- The child must be appointed counsel unless the child knowingly and intelligently waives the right to counsel.
- Any child subject to proceedings under s. 984.151 may have counsel appointed if the court deems it in the child's best interest.



CHAPTER 984, FLORIDA STATUTES, s. 984.07 continued

- Clarifies the process for appointment of counsel for the child and removes reference to Chapter 985.
- Only the income of the parents or legal guardians are considered to determine the child's indigency.
- Allows the court to appoint counsel for a non-indigent child if the parents, or legal guardians have made a good faith effort to remediate the child's behavior.
- Parents may not have counsel appointed to represent them unless they are indigent.



CHAPTER 984, FLORIDA STATUTES, s. 984.09

- S. 984.09 clarifies the contempt sanctions the court may utilize for children.
- Allows a court to punish a child adjudicated CINS who is found in contempt by ordering the child placed in shelter for 5 days for the first offense, 15 days for a second or subsequent offense. The court retains the ability to utilize physically secure shelter under 984.226 if conditions of eligibility are met.



CHAPTER 984, FLORIDA STATUTES, s. 984.09 continued

- A truant child under s. 984.151 who is found in contempt of court may be held for 5 days for the first offense, and 15 days for a second or subsequent offense, in a DJJ designated shelter if a bed is available. Upon a second or subsequent finding of contempt, the court must refer the child to the case staffing committee with a recommendation to file a CINS petition.
- Any shelter placement ordered under this section must be given as a cumulative sanction. Separate sanctions for the same act or series of acts within the same episode may not be imposed.



CHAPTER 984, FLORIDA STATUTES, s. 984.09 continued

- The court must consider alternative sanctions in lieu of shelter placement.
- Procedure and due process requirements are addressed.
- 72-hour reviews are required by the Court to determine if continued shelter placement is needed.



CHAPTER 984, FLORIDA STATUTES, s. 984.0861

- S. 984.0861 is created and entitled "Prohibited use of detention".
- A child under the jurisdiction of the court solely pursuant to Chapter 984 may not be placed in any form of detention care for the use of alleged delinquents as authorized under Chapter 985 for any purpose; nor in any secure detention facility authorized for use under Chapter 985 for any purpose; nor in any jail or other similar facility used for the purpose of detention or confinement of adults for any purpose.



CHAPTER 984, FLORIDA STATUTES, s. 984.12

- A case is referred to the case staffing committee if:
 - The family or child is not in agreement with the voluntary family services offered;
 - The family or child will not participate in the services or treatment selected;
 - The department representative needs assistance developing a plan for services.
 - Additionally, a case may be referred to the case staffing committee by the Truancy Court.



CHAPTER 984, FLORIDA STATUTES, s. 984.12, continued

- The composition of the case staffing committee is based on the needs of the family and child.
 - The child and parent, legal guardian, or custodian must be invited to the committee meeting.
 - The committee must include a representative of the child's school district, and a representative of the department.
 - The committee may include the department's authorized agent, and a supervisor of the department's contracted provider.
 - A law enforcement representative has been added as an optional member.
 - Other optional members are representatives from health, mental health, substance use, social services and any other person the family recommends.



CHAPTER 984, FLORIDA STATUTES, s. 984.12, continued

- Requires the case staffing committee to develop a plan for services and to consider certain items:
 - Identify family's concerns and contributing factors,
 - Request the family and child to identify their needs and concerns,
 - Seek input from school district and others in attendance,
 - Consider the services that have been offered and results of those services,
 - Identify if truancy is a concern and evaluate compliance with s.1003.26.
- Requires the case staffing committee to meet within 30 days after receiving a referral from the truancy court.



CHAPTER 984, FLORIDA STATUTES, s. 984.12 continued

- Allows the case staffing committee to reconvene to make adjustments to the plan.
- Requires a case manager have responsibility to implement the plan.
- Addresses circumstances under which a case staffing committee may be convened by a parent, legal guardian or custodian, or any other committee member.



CHAPTER 984, FLORIDA STATUTES, s. 984.13

- S. 984.13 addresses circumstances under which a child may be taken into custody. The court may authorize a child to be taken into custody after a CINS petition is filed.
- The court may authorize any child to be taken into custody for placement in a designated shelter facility after the child is held in contempt of court under s. 984.09.
- Children in need of medical or mental health clearance must be delivered to an appropriate facility for treatment.



CHAPTER 984, FLORIDA STATUTES, s. 984.14

- S. 984.14 allows temporary voluntary shelter services.
- If the child is a runaway, or a parent, legal guardian or custodian is not available, the shelter must attempt to contact them. If the parent, legal guardian or custodian cannot be located within 24 hours, DCF must be contacted.



CHAPTER 984, FLORIDA STATUTES, s. 984.03(7)

- The definition of CINS is modified and renumbered to s. 984.03(7)
- "Child in need of services" means a child for whom there is no pending petition filed with the court for delinquency under Chapter 985; and no current court-ordered supervision by the Department of Children and Families under Chapter 39. The child must also, pursuant to this chapter, be found by the court:
 - (a) To have persistently run away from the child's parents, legal guardians or custodians despite reasonable efforts of the parents, legal guardians, or custodians, and appropriate agencies to remedy the conditions contributing to the behavior...
 - (b) To be a habitual truant from school, while subject to compulsory school attendance, despite reasonable efforts to remedy the situation pursuant to ss.1003.26 and 1003.27...



CHAPTER 984, FLORIDA STATUTES, s. 984.03(7) continued

- (c) To be ungovernable by having persistently disobeyed the reasonable and lawful rules and demands of the child's parents, legal guardians, or custodians, and to be beyond their control despite the child having the mental and physical capacity to understand and obey lawful rules and demands, and despite efforts by the child's parents, legal guardians, or custodians and appropriate agencies to remedy the conditions contributing to the behavior...."
- Throughout the chapter references to (physical) custodians have been included to allow for the provision of services to persons raising the child who may not have legal guardianship. The responsibility to attempt to serve legal notice to living parents who retain parental rights of court filings remains unchanged within the statute.



CHAPTER 984, FLORIDA STATUTES, s. 984.15

- Clarifies that a child must meet the definition of CINS when the petition is filed.
- Removes the 45-day deadline to file a CINS petition. This will eliminate unnecessary delays for cases to be re-staffed.
- Allows the petitioner to withdraw a CINS petition at any time before the child is adjudicated CINS.



CHAPTER 984, FLORIDA STATUTES, s. 984.20

- Removes reference to shelter placement prior to arraignment for a child in need of services petition.
- All CINS petitions must be set for arraignment within a reasonable time.
- Allows the court to continue an arraignment for the child to obtain counsel.
- Allows a case to proceed immediately to disposition if the parties agree to the petition.



CHAPTER 984, FLORIDA STATUTES, s. 984.20 continued

- Allows the court to enter a default judgement (consent) if the parties fail to appear for arraignment if they were served and they were put on notice their failure to appear would constitute consent to the petition.
- Requires all CINS youth to be disposed as adjudicated CINS.
- Requires the first judicial review hearing to be held within 45 days, all other reviews may be held as necessary allowing time for the child and family to work toward compliance.



CHAPTER 984, FLORIDA STATUTES, s. 984.20 continued

- No more than 90 days may elapse between judicial reviews.
- Allows the court to proceed with judicial review if the parties fail to appear.
- Clarifies the court may adjust the services plan, including ordering shelter placement, to address the needs and compliance with court orders at judicial review hearings.
- The court may close the case and relinquish jurisdiction upon request of the petitioner.



CHAPTER 984, FLORIDA STATUTES, s. 984.18

- Section 984.18, which allowed child in need of services cases to be referred to mediation has been repealed.



CHAPTER 984, FLORIDA STATUTES, s. 984.225

- This section eliminates the staff-secure shelter designation. However, it retains the same criteria for a 90-day shelter placement. Provides any child placed in shelter under this section must be adjudicated CINS.
- A child may be placed in shelter for up to 35 days after CINS adjudication.
- If the child meets specified criteria a child may be placed in shelter for up to 90 days. The court must review 90-day shelter placements within every 45 days and the court may order the child held an additional 30 day if necessary.



CHAPTER 984, FLORIDA STATUTES, s. 984.03(28)

- A new definition is added for physically secure shelter.
- "'Physically secure shelter' means a department approved locked facility or locked unit within a facility for the care of a child adjudicated a child in need of services who is court ordered pursuant to s. 984.226. A physically secure shelter unit shall provide 24-hour, continuous supervision. A physically secure shelter must be licensed by the Department of Children and Families as a licensed child-caring agency."



CHAPTER 984, FLORIDA STATUTES, s. 984.226

- Removes language that required physically secure shelters to be "exclusively" for CINS youth.
- Requires physically secure shelter placement may only be used when the adjudicated child in need of services cannot receive appropriate and available services due to the child running away or refusing to cooperate with attempts to provide services in other less restrictive placements.



CHAPTER 984, FLORIDA STATUTES, s. 984.226 continued

- Allows the court to transition the child from physically secure shelter to a shelter placement under s. 984.225 if the court finds physically secure shelter is no longer necessary for the child's safety and service provision.
- Court may order a staffing with DCF if the parent is not participating and providing support.
- The court may refer the child to DCF or the Agency for Persons with Disabilities for long term services and support.



CHAPTER 985, Florida Statutes, s. 985.731

- S. 984.085 is repealed.
- S. 985.731 is renumbered as s. 787.035.
- S. 787.035 prohibits any person who is not an authorized agent of DJJ or DCF to shelter an unmarried minor for more than 24 hours without consent of the child's parent or guardian or notifying law enforcement that the child is being sheltered.
- Providing aid to a runaway minor without first contacting the child's parent, guardian or law enforcement, is prohibited.
- A violation of this section is a first-degree misdemeanor.



ASSISTANCE AND SUPPORT

- Services and resources are available through:
 - The Florida Network
 - ✓ <https://FloridaNetwork.org>
 - ✓ 850-922-4324
 - Hope Florida-A Pathway to Potential
 - ✓ <https://www.DJJ.STATE.FL.US/youth-families/Hope-Florida>
 - ✓ (833) GET-HOPE (438-4673)



Office of the General Counsel

- <https://www.djj.state.fl.us/services/department-support-services/office-of-the-general-counsel/delinquency-cins-fins-attorney-list>
- Circuit 1, 2 & 14: Tonja.Mathews@fldjj.gov; (850) 717-2451
- Circuit 3 & 4: Latisha.James@fldjj.gov; (850) 294-5420
- Circuit 5*, 9* & 18*: Kywa.Hammond@fldjj.gov; (407) 845-6081
- Circuit 9*, 18*, & 19*: Raylene.Coe@fldjj.gov; (407) 845-6082
- Circuit 6 & 12: Courtney.McKenzie@fldjj.gov; (813) 496-2102
- Circuit 7 & 8: Ed.Wilton@fldjj.gov; (904) 608-2828
- Circuit 10 & 13: Jennifer.Lima-Smith@fldjj.gov; (813) 496-2101
- Circuit 11*, 15, 17, 19*: Aylin.Ruiz@fldjj.gov; (954) 595-1087
- Circuit 16, 20: Scott.Pettus@fldjj.gov; (954) 595-1088

- * Circuit responsibility is split with other attorneys. For more information refer to link provided above.

