

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO.: 5.704-2/15\*

IN RE: INDEPENDENT LIVING REVIEW (ILR) COURT

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Florida Statute Section 409.1451 provides that the Department of Children and Families, its agents, or community-based providers, shall administer a system of independent living transition services to enable older children in foster care and young adults who exit foster care to make the transition to self-sufficiency as adults. The goals of independent living transition services are to assist older children in foster care and young adults who were formerly in foster care to obtain life skills and education for independent living and employment, to have a quality of life appropriate for their age, and to assume personal responsibility for becoming self-sufficient adults.

Since 2007, the Fifteenth Judicial Circuit, in partnership with the Department of Children and Families, Child and Family Connections (**now ChildNet**), Vita Nova Inc., Guardian Ad Litem Office, Palm Beach County Legal Aid Society, Palm Beach County Clerk and Comptroller, Department of Juvenile Justice, Agency for Persons with Disabilities, Palm Beach County School District, Office of Regional Conflict Counsel, Conflict Team, and Independent Living partners have been monitoring youth in licensed care in an Independent Living Review (ILR) Court. The purpose of the Independent Living Review Court is to evaluate a youth's progress in developing independent living skills and take the necessary steps to help the youth obtain his/her goals.

**NOW, THEREFORE**, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. An Independent Living Review (ILR) Court is hereby established. All dependent youth, ages 17 and older, who are in licensed care will be placed on an ILR Court Docket to be heard by the **Divisional Judge**. **The youth will have the first hearing within 90 days of his/her 17<sup>th</sup> birthday.** The **Divisional Judge** will have discretion to bring younger dependent youth into the ILR Court.
2. **The youth will have the discretion to request the ILR/Judicial Review/Permanency Hearing continue to be heard by the General Magistrate. At the last Judicial Review prior to the first scheduled ILR, the youth shall be given the option to have the ILR/Judicial Review/Permanency Hearing continue to be**

heard before the Magistrate. If the youth chooses this option, the Order on Judicial Review/Permanency Hearing shall reflect that all further ILR/Judicial Review/Permanency Hearings for the youth shall continue to be heard by the General Magistrate. If applicable, the youth's hearing shall be set at the same time as his/her sibling(s) before the General Magistrate.

3. Eligible youth will be identified by the **Juvenile Court** Case Manager through a monthly listing of youth ages **17 and over in foster care**. The listing is sent to the **Juvenile Court Operations Manager by ChildNet**.
4. The **Juvenile Court** Case Manager will prepare the initial Order transferring the youth into ILR Court and cancelling any previously scheduled JR Hearings. All subsequent ILR Court hearings will be scheduled **on the Divisional Judge's ILR docket by the Clerk and Comptroller**.
5. The ILR case shall be opened with the Order to Transfer a dependent youth's case to ILR Court. The Clerk and Comptroller shall create a new case file and establish a new case number in the **Divisional** ILR Court. The Clerk and Comptroller shall designate all ILR Court cases as Division "ILR" for case assignment purposes. The transfer of a dependent youth's case to the ILR Court will not affect any remaining family members to a dependency case filed in the original dependency division and the family's case file number will remain unchanged. When the youth is given a new case number an Order linking UFC cases will also be completed by the **Juvenile Court** Case Manager. **Youth without siblings or youth who choose to have their case stay with the General Magistrate will not receive a new case number.**
6. **When a new ILR case number has been assigned**, after the transfer of a dependent youth's case to the ILR Court, new documents filed regarding the dependent youth will be filed in the dependent youth's ILR court file. The Clerk and Comptroller shall copy the following documents from the old dependency file and place them in the new ILR court file: petition for shelter, order for shelter, petition for adjudication of dependency, order for adjudication of dependency, case plan, and previous JR Orders. After transfer of a dependent youth's case to the ILR Court, a Judicial Review conducted for the youth's siblings will not address the dependant youth who is assigned to ILR Court. While the dependent youth assigned to ILR Court is welcome to attend the Judicial Review for his/her siblings, no portion of the Judicial Review for the dependent youth's siblings will address the tasks, needs, or services of the dependent youth assigned to ILR Court.
7. Any party who wishes to cancel or reset an ILR hearing must do so by motion to the **Divisional** ILR Court and provide notice to all parties.
8. The ILR Court will occur **as listed on the Divisional Judge's scheduled ILR docket time:**
  - **Division JA: as needed**
  - **Division JK: bi-weekly**
  - **Division JL: bi-weekly**
  - **Division JM: as needed**

- **Division JO: weekly**
- **Division JS: weekly**

9. All parents who have a reunification case plan and the parents' legal counsel shall be noticed about every hearing.
10. All youth shall be noticed of every hearing and their attendance is mandatory, unless good cause is shown in writing at least ten (10) days prior to the hearing as to why the youth cannot attend.
11. All JRSSRs and Independent Living Transition Plans shall be filed with the Court at least 72 hours prior to the hearing. The JRSSRs and Independent Living Transition plan shall contain the most updated information regarding the information listed on the ILR Court Checklist attached as Exhibit A.
12. All JRSSRs **with all requisite supporting documentation** and Independent Living Transition Plans shall be emailed to the **Divisional Juvenile Court Case Manager and all counsel of record** at least 72 hours prior to the hearing.
13. The ILR hearing will be considered a Judicial Review and/or Permanency Review hearing and heard by the **Divisional** Judge.
14. The dependent youth will stay in ILR Court even if the youth is on runaway status.
15. The ILR hearing is to be heard by the **Divisional** Judge and approximately twenty (20) minutes is to be allotted to hear the case. At the hearing, the Court will review the needs of the youth, discuss future plans (vocational and educational goals), review compliance with case plan tasks, review services for the youth, and most importantly, allow the youth to voice his/her concerns and become engaged in the decision-making process. The next hearing will be scheduled within four to six months, unless an earlier date is needed.
16. **Following the hearing, copies of the signed Order shall be distributed by Department's attorney to the following case parties: youth, parent(s)/guardian(s), attorney for youth, attorney(s) for parent(s), Dependency Case Manager and Life Coaches (as applicable) assigned to the youth.**
17. If a dependent youth's placement changes from licensed care to relative care, **the Department's attorney and youth's attorney shall IMMEDIATELY provide a copy of the Order of Modification of Placement to the Divisional Juvenile Court Case Manager. The youth's case shall be removed from the ILR Court docket and placed on the Divisional Dependency docket. The Divisional Juvenile Court Case Manager shall prepare an Order cancelling the ILR, directing the Clerk to close out the ILR case and setting a new JR hearing.**
18. **If a youth who is currently under extended jurisdiction to age 19 wishes to opt into extended foster care and extend jurisdiction to age 21 (or age 22 if young adult is disabled) and he/she has completed an extended foster care application**

which has been approved by ChildNet, Children's Legal Services (CLS) shall file a signed Agreed Order to Extended Jurisdiction within 14 days. A Juvenile Court Case Manager shall then set the case for a Hearing on Approval of Case Plan and Setting Independent Living Review (ILR) within 14 days of receiving the Order. The Clerk shall assign the previously designated ILR case number.

19. If a youth who is currently in care and turned 18 after January 1, 2014, his/her jurisdiction shall be automatically extended to age 21 (or age 22 if young adult is disabled). If not already set, a Juvenile Court Case Manager shall set the case for a Hearing on Approval of Case Plan and Setting Independent Living Review (ILR) within 14 days of receiving the Order. The Clerk shall assign the previously designated ILR case number.
20. If a youth has no open jurisdiction and wishes to opt back into care and he/she has completed an extended foster care application which has been approved by ChildNet, Children's Legal Services (CLS) shall file a signed Agreed Order to Reopen Jurisdiction within 14 days. A Juvenile Court Case Manager shall then set the case for a Hearing on Approval of Case Plan and Setting Independent Living Review (ILR). The Clerk shall assign the previously designated ILR case number.

**DONE AND SIGNED** in Chambers, at West Palm Beach, Palm Beach County, Florida, this 27 day of February, 2015.

  
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Jeffrey Colbath, Chief Judge

\*supersedes admin. order 5.704-6/12

## ILR Court Checklist

1. **School:** Specific School Name, location, GPA, extracurricular activities- (especially important if youth is out of county), progress in school.
2. **Current Case Plan Goal and Goal Date**
3. **Placement:** Specific Placement Name (not generic, for example "group home") and location (which county) and any issues with placement. What is the living arrangement for post-18 and backup plan? Is there an Order removing the disability of non-age?
4. **Mental Health/Substance Abuse:** Details on mental health and substance abuse treatment- assessments completed, is youth participating in treatment or therapy- how often, where, progress, *current medications*, etc.
5. **Work:** Is youth working? Where and for how long?
6. **DJJ/Criminal:** Any pending DJJ or criminal cases in or out of county and status.
7. **Special Needs:** Any other needs youth might have (i.e.: assistance with getting documents, benefits, etc.) Does the youth wish to extend jurisdiction? Does the youth have a master trust account; is he/she receiving SSI, if necessary has an APD application been made? Current IL services and/or RTI? Does the child have a bank account, birth certificate, SS card and Medicaid card?