

**IN THE CIRCUIT COURT  
OF THE HUNDRETH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA,  
IN AND FOR SUNSHINE COUNTY**

**PETITION NO. 12345678910**

**IN THE INTEREST OF:**

**STUART STUDENT  
DOB: 01/01/2003**

**A CHILD/**

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**ORDER OF ADJUDICATION AND DISPOSITION**

THIS CAUSE came before this court on February 14, 2016, under Chapter 39, Florida Statutes, for adjudication and disposition of the Petition for Dependency filed by the Department of Children and Family Services. The following persons appeared before the Court:

- Cindy Safe, Child Protective Investigator, Petitioner
- Eddie Esquire, Attorney for the petitioner and the department
- Stuart Student, the child
- Lisa Lawyer, attorney for the child
- Monica Student, the mother
- Allison Attorney, attorney for the mother
- Victor Volunteer, Guardian ad Litem
- Carrie Counselor, attorney for the Guardian ad Litem Program

The Court having heard testimony and argument and being otherwise fully advised in the premises finds:

1. That the minor child who is the subject matter of these proceedings, is dependent within the meaning and intent of chapter 39, Florida Statutes, and is a resident of the State of Florida.
2. The minor child is of an age subject to the jurisdiction of this Court.
3. The father, Frank Student, was not noticed of this hearing and did not appear.

4. The mother, Monica Student, was noticed of this hearing, advised of her right to legal counsel, and appeared with court appointed counsel, Allison Attorney.
5. The mother, Monica Student, was advised that she has the right to admit, deny or consent to the allegations contained in the Petition for Dependency and was advised of the consequences of so admitting, deny or consenting. The mother, Monica Student, was further advised of her right to a trial in this cause, which would require the State to put on testimony to prepare to prove by a preponderance of the evidence that the child, Stuart Student, is dependent.
6. The mother, Monica Student, having indicated understanding of the rights listed above, has freely and voluntarily consented to the adjudication of the child as dependent.
7. That the child is dependent within the meaning and intent of chapter 39, Florida Statutes, in that the mother, Monica Student, abused, neglected, or abandoned the minor child, by the following:
  - a. A child abuse report was received on or about January 35, 2016, with concerns for the child due to the child's caregiver, the paternal grandmother, Gertrude Student, being hospitalized.
  - b. The investigation revealed that the mother, Monica Student, was being detained in the 101<sup>st</sup> County jail on allegations of violation of probation.
  - c. The mother, Monica Student, has been diagnosed with bi-polar depression and has a history of substance abuse and criminal charges relating to substance abuse dating back to 2010.
  - d. The father, Frank Student, is listed on the child's birth certificate. His current whereabouts are unknown.

- e. The child, Stuart Student, and his parents have resided with the paternal grandmother, Gertrude Student, since approximately January 2010.
  - f. On or about January 35, 2016, the paternal grandmother, Gertrude Student, was hospitalized following a stroke.
  - g. Gertrude Student has been released to a rehabilitation center and is currently unable to care for Stuart.
  - h. The parents have failed to make proper and necessary arrangements for Stuart's care.
8. These facts were proven by a preponderance of the evidence.
9. That the Court finds that it is in the best interest of the child to remain in out-of-home care.
10. That every reasonable effort was made to eliminate the need for placement of the child in out-of-home care but the present circumstances of the child, the mother and the father are such that out-of-home care is the only way to ensure the health, safety, and well-being of the child, in that the mother, Monica Student, is being detained and is unavailable to care for Stuart and the whereabouts of the father, Frank Student, are unknown.
11. That the child's placement in foster care is in a setting which is as family like and as close to the home as possible, consistent with the child's best interests and special needs.
12. That returning the minor child to the custody of the parents would be contrary to the best interest and welfare of the minor child.
13. The Court inquired of any parents present whether they have relatives who might be considered for placement of the child.

14. The mother, Monica Student, was notified of her right to participate in the preparation of the case plan and to receive assistance from any other person in the preparation of the case plan.
15. The mother, Monica Student, through counsel, waived the filing of a predisposition study with the court and agreed to the case plan tasks as announced during the hearing and delineated in this order.
16. The mother shall comply with the following case plan tasks:
  - a. Cooperate with the Department and sign all releases;
  - b. Contact the Department with 24 hours of being released from jail to provide her contact information and address;
  - c. Cooperate with the Guardian ad Litem and sign all releases;
  - d. Substance Abuse evaluation and follow all recommendations;
  - e. Psychological evaluation and following all recommendations;
  - f. Complete parenting classes;
  - g. Comply with court-ordered visitation upon release from jail; and
  - h. Ensure that the child's medical and educational needs are being met following reunification
17. The case plan is:
  - a. Consistent with the requirements of the law and previous orders of this court;
  - b. Meaningful and designed to address the facts and circumstances on which the court based the finding of dependency; and
  - c. In the best interest of the minor child.
18. The case plan's stated goal of reunification is a reasonable goal.

19. The parents have the ability to comply with the terms of the case plan.

20. Reasonable efforts to prevent or eliminate the need for removal of the child were not made by the department due to the exigent circumstances.

THEREFORE, based upon the foregoing findings, it is ORDERED AND ADJUDGED that:

1. The minor child, Stuart Student, is adjudicated dependent.
2. The minor child, Stuart Student, shall be placed in the custody of the State of Florida, Department of Children and Families in foster care, under supervision of the department.
3. The filing of a predisposition study report is waived by the mother, Monica Student.
4. The Department shall file a case plan consistent with this order within 20 days.
5. All parties are ordered to comply with the provisions of the case plan and any amendments made to it.
6. The mother, Monica Student, shall pay child support continuing until such time as payments begin to be deducted by income deduction order. All child support payments shall be paid to the Clerk of the Circuit Court designated to receive child support payments.
7. The legal custodian shall have the right to authorize for the child any emergency medical treatment and any ordinary and necessary medical and dental examinations and treatment, including blood testing, preventive care including ordinary immunizations, tuberculin testing, and well-child care, but not including nonemergency surgery, general anesthesia, provision of psychotropic medications, or other extraordinary procedures for which a separate order or informed consent as provided by law is required.
8. The custodians are authorized to secure copies of the child's records held by third parties that are necessary to the care of the child, including, but not limited to, medical and dental records, birth certificate and other records, and educational records, and to consent to school

enrollment and to grant or withhold consent for the child to participate in school programs and activities.

9. All prior orders not inconsistent with the present order shall remain in full force and effect.

10. The mother shall provide to the Court and all parties identification and location information regarding potential relative placements.

11. THE COURT ADVISED THE PARENTS THAT IF THE PARENTS FAIL TO SUBSTANTIALLY COMPLY WITH THE CASE PLAN THEIR PARENTAL RIGHTS MAY BE TERMINATED AND THE CHILD'S OUT-OF-HOME PLACEMENT MAY BECOME PERMANENT.

12. This court shall retain jurisdiction over this cause to enter any such further orders that may be deemed necessary for the best interest and welfare of the minor child.

13. All prior orders not inconsistent with the present order shall remain in full force and effect.

14. An arraignment for the father, Frank Student, is scheduled for February 31, 2016, at 5 p.m.

15. A Judicial Review and Permanency Hearing is scheduled for July 4, 2016, at 11 p.m.

DONE AND ORDERED on February 14, 2016, at Sunshine City, Florida.

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CIRCUIT COURT JUDGE

Copies to:

- \_\_\_ Petitioner
- \_\_\_ Office of the State Attorney /Children's Legal Services/Office of the Attorney General
- \_\_\_ Child/Child's Counsel
- \_\_\_ Mother/Mother's Counsel
- \_\_\_ Father/Father's Counsel
- \_\_\_ Guardian ad Litem Program
- \_\_\_ Community Based Care Provider Case Manager

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