

**IN THE THIRTEENTH JUDICIAL CIRCUIT
FOR HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER NO.: S-2005-155
(Supersedes Administrative Order S-2004-074)**

OUT-OF-COUNTY TRAVEL OF DEPENDENT CHILDREN

WHEREAS there are many children in Hillsborough County who have been adjudicated dependent pursuant to Chapter 39, Florida Statutes; and

WHEREAS these children may be in the temporary legal custody of and residing with other family members, non-relatives, with Community Based Care or Department of Children and Families' (hereafter "the Department") foster homes; and

WHEREAS these children may be in the permanent legal custody of the Department because parental rights have been terminated; and

WHEREAS the court recognizes the need for children to travel, from time to time, within the State of Florida, while in the custody of adults other than their parents; and

WHEREAS emergency weather conditions frequently occur in Florida requiring out-of-county and out-of-state travel; and

WHEREAS it is necessary for the efficient administration of justice in this circuit; it is therefore

ORDERED:

1. Travel of Permanently Committed Children Within Florida

Children who are permanently committed to the Department may travel within Florida without further order of the court. However, if travel outside Hillsborough County exceeds thirty (30) consecutive days, written permission from the Department is required.

2. Travel of Children in the Temporary Legal Custody of the Department, Family Members or Non-Relatives

A. Day Long Trips

Children who are in the temporary legal custody of the Department, other family members, or non-relatives (hereafter "caretaker") may travel within Florida on day long trips without further order of the court.

B. Notice to Parent(s) of Overnight Stays

At all times, when their whereabouts are known, the parent(s) must be informed of the caretaker's intent to travel where lodging is required overnight in a residence other than the caretaker's.

C. Travel of Up to Seven (7) Consecutive Days

The caretaker may travel outside of Hillsborough County for a period of up to seven (7) consecutive days with the knowledge and permission of the Department only. No further order of the court is necessary. If the parent objects to the travel and the travel plans are for fewer than seven (7) consecutive days, the parent may request a hearing before the court.

D. Travel of Seven (7) to Thirty (30) Consecutive Days

If the parent agrees to the travel and the travel is for thirty (30) consecutive days or fewer, no court order is required. If the parent objects to the travel and the travel plans are for between seven (7) and thirty (30) consecutive days, a hearing shall be set by the Office of the Attorney General with a Motion for Travel and Notice of Hearing sent to all parties and appropriate participants. The court shall enter an order granting or denying the travel based upon the information provided at the hearing.

E. Travel of More than Thirty (30) Consecutive Days or Travel Outside of Florida

Any travel in excess of thirty (30) consecutive days or any travel outside of Florida must be with the approval of the court.

F. Itinerary to the Department

The caretaker with whom any child is traveling shall present to the Department a complete itinerary as soon as travel plans are known.

G. Visitation Make Up

Any visitation missed by the family due to the travel plans of the child(ren) shall be made up within the first thirty (30) days of the child(ren)'s return.

3. Travel During Emergency Conditions

Children who are in the legal custody of a caretaker may travel outside Florida without further court order when evacuation is necessary due to weather or other emergency conditions.

4. Individual Orders Forbidding Travel

Nothing in this administrative order shall supersede an individual order, entered by a court of competent jurisdiction, which forbids or limits travel by a child or children.

5. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2004-074.

6. Effective date

This administrative order is effective immediately.

DONE AND ORDERED in chambers, at Tampa, Hillsborough County, Florida this 19th day of September, 2005

\s\ Manuel Menendez, Jr.
Manuel Menendez, Jr , Chief Judge

original: Pat Frank, Clerk of the Circuit Court
cc: All Juvenile Division Judges and General Magistrates
Margaret Fender, Department of Children and Families
Bill Navas, Office of the Attorney General
Charles Nelson, Guardian ad Litem Program
Molly Langer, Hillsborough Kids, Incorporated