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| In the Interest of:   |  |  | | --- | --- | |  |  |   the minor child(ren). | IN THE JUVENILE COURT OF  THE NINTH JUDICIAL CIRCUIT,  IN AND FOR ORANGE COUNTY, FLORIDA  Case Number:  Division: |

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**NOTICE OF DEMAND FOR EARLY FILING OF PETITION**

**AND DEMAND FOR FUNDING/REFERRAL TO VOLUNTARY SERVICES**

COMES NOW, (the “Parent”) and, by and through the undersigned attorney, states as follows:

1. Demand is hereby made for early filing of the dependency petition. DCF is required to file the dependency petition within seven (7) days of the date hereof. See F.S. §39.501(4).[[1]](#footnote-1)
2. Arraignment shall occur within seven (7) days after the date of filing of the dependency petition. See F.S. §39.506(1). [[2]](#footnote-2)
3. Both as of shelter and as of arraignment, DCF is required to make reasonable efforts to eliminate the need for removal (or continued removal) of the child(ren) from the home, notwithstanding that the case is pending trial. See F.S. §39.402(8)(d), (h)(5) and F.S. §39.506(7).[[3]](#footnote-3) Accordingly, the undersigned requests DCF to immediately provide the Parent with funding and referrals to appropriate voluntary services.

WHEREFORE, the Parent, by and through the undersigned attorney, requests this Court:

1. Order DCF to file a dependency or TPR petition within seven (7) days of today.

1. Schedule arraignment to occur within fourteen (14) days of today.
2. Order DCF to obtain funding and provide Parent with referrals for appropriate services directed toward eliminating the need for continued removal of the child(ren) from the home.

Certificate of Service

I HEREBY CERTIFY on the date of the above filing stamp a copy hereof was e-mailed to all persons registered for service by e-mail through the e-portal.

Respectfully submitted,

DEVOE LAW FIRM

s/Michael P. DeVoe

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1. F.S. §39.501(4) provides, “When a child has been placed in shelter status by order of the court, a petition alleging dependency must be filed within 21 days after the shelter hearing, or within 7 days after any party files a demand for the early filing of a dependency petition, whichever comes first.” [↑](#footnote-ref-1)
2. F.S. §39.506(1) provides, “When a child has been sheltered by order of the court, an arraignment hearing must be held no later than 28 days after the shelter hearing, or within 7 days after the date of filing of the dependency petition if a demand for early filing has been made by any party, for the parent or legal custodian to admit, deny, or consent to findings of dependency alleged in the petition.” [↑](#footnote-ref-2)
3. F.S. §39.506(7) provides that at arraignment “[t]he court shall review whether DCF has made a reasonable effort to prevent or eliminate the need for removal or continued removal of the child from the home.” [↑](#footnote-ref-3)