

APPENDIX A

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D20-2263

T.A.S., Father of R.A.S., Minor
Child,

Appellant,

v.

DEPARTMENT OF CHILDREN AND
FAMILIES,

Appellee.

On appeal from the Circuit Court for Santa Rosa County.
Ross M. Goodman, Judge.

November 25, 2020

PER CURIAM.

AFFIRMED.

RAY, C.J., and BILBREY and WINOKUR, JJ., concur.

*Not final until disposition of any timely and
authorized motion under Fla. R. App. P. 9.330 or
9.331.*

OVER

**DISTRICT COURT OF APPEAL, FIRST DISTRICT
2000 Drayton Drive
Tallahassee, Florida 32399-0950
Telephone No. (850)488-6151**

January 12, 2021

**CASE NO.: 1D20-2263
L.T. No.: 15-DP-57**

T.A.S., Father of R.A.S., Minor Child v.

Department of Children and
Families

Appellant / Petitioner(s),

Appellee / Respondent(s)

BY ORDER OF THE COURT:

Motion for rehearing en banc filed by the appellant on December 14, 2020, is denied.

I HEREBY CERTIFY that the foregoing is (a true copy of) the original court order.

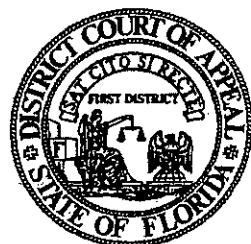
Served:

Hon. Ashley Moody, AG
Sara Goldfarb
Thomasina F. Moore
T. A. S.

Javier Enriquez, GC
Sarah J. Rumph
William "Bill" Eddins, SA

th

Kristina Samuels
KRISTINA SAMUELS, CLERK



M A N D A T E

from

FIRST DISTRICT COURT OF APPEAL STATE OF FLORIDA

This case having been brought to the Court, and after due consideration the Court having issued its opinion;

YOU ARE HEREBY COMMANDED that further proceedings, if required, be had in accordance with the opinion of this Court, and with the rules of procedure, and laws of the State of Florida.

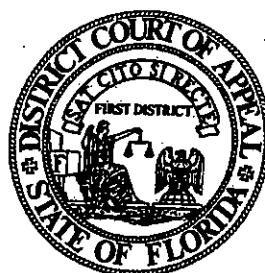
WITNESS the Honorable Stephanie W. Ray, Chief Judge, of the District Court of Appeal of Florida, First District, and the seal of said Court at Tallahassee, Florida, on this day.

February 02, 2021

T.A.S., Father of R.A.S., Minor Child v.
Department of Children and Families

DCA Case No.: 1D20-2263
Lower Tribunal Case No.: 15-DP-57

Kristina Samuels
KRISTINA SAMUELS, CLERK
District Court of Appeal of Florida, First District



th

Mandate and opinion to: Hon. Donald C. Spencer, Clerk
cc: (without attached opinion)

Hon. Ashley Moody, AG
Sara Goldfarb
Thomasina F. Moore

Javier Enriquez, GC
Sarah J. Rumph
William "Bill" Eddins, SA

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR SANTA ROSA COUNTY, FLORIDA
JUVENILE DIVISION**

IN THE INTEREST OF:

Sept. 9, 2015
hearing

ROMAN SOSNOWSKI

CHARGE NO. 15-B1-57

THIS CAUSE came before the Court on September 9, 2015, upon the sworn petition filed by the State of Florida. The Court having reviewed its file and having been otherwise duly advised in the premises finds as follows:

1 Persons Present:

Lacey Rocha, Attorney for the State of Florida
 Jackie Henry/Shannon Xuereb, Child Protective Investigator
_____, FamiliesFirst Network
 Gina Sosnowski, mother
_____, Attorney for the mother
 Thomas Sosnowski, father
_____, Attorney for the father
 Carroll/Cosson, Guardian ad Litem Program Attorney
 Lindsey Dubreuil/ Stephanie Barlow/Brian Ciulla, Guardian ad Litem
Other(s)

DONALD C. SPENCER
CLERK OF COURT &
COMPTROLLER
2015 SEP 9 PM 1 30
SANTA ROSA COUNTY, FL
JUV/CP FILED

2. **Jurisdiction:** The above-named child was found within the jurisdiction of this Court and is of an age subject to the jurisdiction of this Court.

3. Placement in Shelter:

On September 8, 2015 at 7:00 p.m. the above child was taken into custody by the Santa Rosa County Law Enforcement.

4. **Notification:**

The mother was:

XX duly notified that the child was taken into custody;
XX duly notified to be present at this hearing;
_____ served with a statement setting forth a summary of procedures involved in dependency cases;

The father was:

XX duly notified that the child was taken into custody;
XX duly notified to be present at this hearing;

Sept. 9, 2015 hearing

served with a statement setting forth a summary of procedures involved in dependency cases;

5. **Inability to Notify:** The Petitioner has made a good faith effort to notify and/or locate, but was unable to notify and/or locate: N/A

6. **Right to Counsel:** The parents present were advised of their right have an attorney represent them at the hearing and at all stages of the dependency proceedings.

The mother, Gina Sosnowski:

was represented by counsel _____
 knowingly, voluntarily, and intelligently waived the right: or
 waived the right to counsel but the court declined to accept the waiver because _____

 requested appointment of counsel, but the court declined appointment because she did not qualify as indigent.
 requested appointment of counsel and counsel was appointed.
 was provided an affidavit to determine eligibility for appointed counsel.

The father, Thomas Sosnowski:

was represented by counsel _____
 knowingly, voluntarily, and intelligently waived the right: or
 waived the right to counsel but the court declined to accept the waiver because _____

 requested appointment of counsel, but the court declined appointment because he did not qualify as indigent.
 requested appointment of counsel and counsel was appointed.
 was provided an affidavit to determine eligibility for appointed counsel.

^{private} ~~he voluntarily spoke in court without an attorney~~ ~~was offered an appointed counsel, but indicated he wanted to hire a~~ The parent(s), guardian(s), or other legal custodian(s) is/are hereby informed of their right to be represented by an attorney at each stage of the dependency proceedings and of the right of an indigent person to be represented by court appointed counsel.

7. The child was properly noticed for the hearing and did/did not appear for the hearing. The child did not appear because: the child was with the mother at the hospital, where the mother was being evaluated for her injuries

~~DCF is committing a Brady Violation by deliberately withholding the highly exculpatory Sept. 8, 2015 medical records of Gina Garza~~

8. **Grounds for Removal:** having blood platelet deficiency severe enough to cause SPONTANEOUS BRUISING

There is probable cause that reasonable grounds for removal exist, the provision of appropriate and available services will not eliminate the need for placement, the child are dependent, and shelter care is necessary and in the best interest of the child because:

The child has been abused, abandoned, or neglected or is/are in imminent danger of illness or injury as a result of abuse, abandonment, or neglect;

check marks next to blanket statement, statutory language is not clear and convincing evidence. Where are doctor's reports and photos?

Sept. 9, 2015 hearing

The parent or legal custodian has materially violated a condition of placement imposed by the court;

The child has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care.

A finding of probable cause cannot be made at this time and the Court requires additional information to determine the risk to the child. The following information must be provided to the Court during the continuation of this hearing _____. This hearing is continued for 72 hours, until _____ (date/time). The child will remain in shelter care pending the continued hearing.

This hearing is continued for up to 72 hours, until _____ (date/time). The child will remain in shelter care pending the continued hearing. The hearing is being continued as the parent(s) have requested to be represented by counsel.

9. **Contrary to Welfare:** Continuation of the child in the home would be contrary to the welfare of the child because the home situation presents a substantial and immediate danger to the child's physical, mental, or emotional health or safety which cannot be mitigated by the provision of preventive services as follows: As alleged in the Petition for Shelter and incorporated herein by reference. Also, because the mother has a history of alcohol abuse.

The home situation presents a substantial immediate danger to the child which cannot be mitigated by the provision of preventive services because: Service providers would not be safe in the home and the father obstructs the Department's access to the child.

The child cannot safely remain at home, either because there are not any preventive services that can ensure the safety of the child, or because even with appropriate and available services being provided, the safety of the child cannot be ensured.

10. **Reasonable Efforts:** The Department of Children and Family Services has made reasonable efforts to prevent or eliminate the need to remove the child from the home as follows: The Department is asking to shelter the child from the father only. The Department is unable to prevent the child's removal from the father due to the father's instability and opposition to services. Service providers cannot safely work with the father in the home.

Any specific services, if available, which could prevent or eliminate the need for removal or continued removal from the home are as follows: None OR

Service: _____
Service: _____

Date available: _____
Date available: _____

The Department is deemed to have made reasonable efforts to prevent or eliminate the need for removal of the child and the provision of appropriate and available services will not eliminate the need for placement of the child in shelter care because:

an emergency existed in which the child could not safely remain in the home;

emotional health or safety which cannot be mitigated by the provision of preventive services;

Sept. 9, 2015 hearing

the child cannot safely remain in the home because there are no preventative services that can ensure the health and safety of the child;

even with appropriate and available services being provided, the health and safety of the child cannot be ensured;

the parent or legal custodian is alleged to have committed any of the acts listed as grounds for expedited termination of parental rights in F.S. 39.806(1)(f)-(n).

In addition, services are not available to prevent or eliminate the need for removal or continued removal because:

11. The records of a child under the supervision of or in the custody of the Department will be provided, upon request and at no cost, to the child who is the subject of the case record, and to the child's caregiver, guardian ad litem, or attorney. The information will be released in a manner and setting that are appropriate to the age and maturity of the child and the nature of the information being released.

It is **ORDERED AND ADJUDGED** as follows:

A. Placement: The child shall be placed in the shelter custody of Mother, Gina Sosnowski

the Department, shelter care, and the Department has the discretion to shelter the child with a relative on completion of a positive home study, abuse registry, and criminal background checks. Placement with a non-relative shall be judicially reviewed within 24 hours of said placement. Fla. Stat. §39.401(s). ~~No leave to place with a relative.~~

Other: _____

B. **Potential Relative Placements:** At the shelter hearing, the Court inquired whether the parent(s) has/have relatives who might be considered as a placement for the child. The Court orders the parent(s) to provide to the Court and all parties the identification and location information of the relatives. The parent(s) has/have a continuing duty to notify the Department of any relative who should be considered for placement of the child.

C. Pursuant to Florida States, Chapter 39.402, a separate order shall be entered to allow the Department, Guardian ad Litem and FamiliesFirst Network access to the medical and educational records of the child.

D. **Visitation:** The frequency and nature of visitation or contact between the child and the parents is as follows:

Mother, Gina Sosnowski:

Not Applicable

Supervised visitation with the child. The visitation shall be supervised at all times by the Department of Children and Families/Families First Network or an adult approved by the Department.

Sept. 9, 2015 hearing

The visitation shall occur on a schedule agreed by the parties and at a place agreed by the parties. The frequency of the visitation shall be:
For a minimum of one hour at least two times weekly.

Unsupervised visitation with the child. The frequency of the visitation shall be:

No contact. Reason:

Other conditions:

The mother may not use alcohol prior to visitation or be under the influence of alcohol during visitation.
Father, Thomas Sosnowski:

Supervised visitation with the child. The day and time of the visit may change as agreed to by the parties. Letter writing supervised by the Department while the father is incarcerated. Upon release from jail the father shall have supervised visitation with the child, for a minimum of one hour at least one time weekly, to be held at and supervised by the Visitation Center.

No contact. Reason:

No contact until the father has a psychiatric evaluation and the child is in therapy. The father may have therapeutic visitation once visitation is recommended by the child's therapist.

Other conditions:

E. TRAVEL: That the out-of-home custodian(s) of the child have the right to travel with the child within the continental United States for a period not to exceed fourteen (14) consecutive days outside the State of Florida without further order of the Court. Notification shall be given to the parent(s) by the custodian(s), Family First Network, or the Department no later than ten (10) working days prior to travel. If the parent(s) object to such travel, the parents shall schedule a hearing on the matter with the clerk of the court. The adult custodian(s) must notify the DCF or its contract provider in writing of their travel plans.

F. Support: The parent(s), guardian(s), or other legal custodian(s) of the child shall pay to the Department a fee for the child's care, support and maintenance pursuant to Florida Statute 39.402(11) so long as the child remain in shelter care.

G. Medical Consent: When a parent, legal custodian, or legal guardian is/is not available to consent to medical care, notwithstanding a reasonable effort to obtain such consent, a legal custodian appointed in these proceedings, or in the absence of such a legal custodian, the Department, its Community Based Care contracted agents, Families First Network, including shelter/foster parents, or the person primarily responsible of the care management of the child, is hereby authorized to consent to the ordinary and necessary medical, dental, and psychological examination and treatment of the child, including blood testing, preventative care, ordinary immunizations, tuberculin testing and well-child care without further court order. Surgery, general anesthesia, provision of psychotropic medications, or other

Sept. 9, 2015 hearing

extraordinary medical procedures shall require a separate court order. Providers and facilities may require identification and a signature to ensure compliance with applicable state and federal law.

The DCF/Families First Network is authorized to continue administering the child's psychotropic medication. Absent the parent's authorization to continue psychotropic medications, said medications shall continue until or unless changed by the child's physician for 28 days or until the arraignment, which ever is sooner.

H. Child's Records: The Department, Families First Network, its authorized agent/authorized designee, and/or agency responsible for providing services to this family is hereby authorized to obtain records regarding the above-named child's medical, behavioral health and educational background so that a Comprehensive Behavioral Health Assessment may be conducted for the purposes of accomplishing permanency planning for the above-named child. Any and all medial, behavioral health and educational records pertaining to the child shall be released to the Department, its authorized agent/authorized designee, and/or the agency responsible for providing services to this family so that a Comprehensive Behavioral Health Assessment may be conducted for the above-named child. The Department of Children and Families/Families First Network is authorized to conduct a comprehensive behavioral assessment as defined in 39.01(17), Florida Statutes.

I. Medical Information and Records: The parents, legal custodians, legal guardians, or other caregivers, as applicable, shall provide the Department/Families First Network with all known information on the medical care and history of the child, including the names of all current and former medical providers of the child, within 24 hours of this order, and shall execute appropriate authorizations to release the child's medical information and records. Upon presentation of a copy of this order, a legal custodian appointed in these proceedings, or in the absence of such a legal custodian, the Department, its community Based Care contracted agents, including shelter/foster parents, or the person primarily responsible for the case management of the child, is hereby authorized to obtain copies of the child's medical records from any entity, including but not limited to, public and private health care providers and facilities, and may execute appropriate authorizations to release the child's medical information and records. Providers and facilities may require identification and signature to ensure compliance with state and federal medical records laws.

J. Indian Child Welfare Act (ICWA): Inquiry has been made pursuant to ICWA. The appropriate tribe Cherokee (name of tribe) has been notified. will be notified by the Department.

K. Permanent Mailing Address: The parties have provided the court with a permanent mailing address and said address will be used by the court and the petitioner for notice purposes unless and until the party notifies the court and the petitioner in writing of a new mailing address pursuant to F.S. 39.402.

L. Notice of Arraignment: The Arraignment Hearing is scheduled for October 1, 2015 at 1:30 A.M./P.M. as required by law. **THE PARENT(S)/ GUARDIAN HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY AT THE ARRAIGNMENT HEARING AND DURING THE DEPENDENCY PROCEEDINGS.**

M. The Court has advised the parents, if they 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.

N. A Guardian ad Litem X is appointed is not appointed.

Sept. 9, 2015 hearing

O. Other: _____

P. The custodian(s) of any child subject to the jurisdiction of this court is/are hereby directed to notify local law enforcement, the Department of Children and Families, and Families First Network immediately at any time that the child is determined to be missing or that the child's whereabouts are unknown.

Q. The parent or parents who have custody pursuant to this order must notify the case manager within two (2) days of any changes with regards to where the child resides, attends school or daycare, or any other changes in the child's location of care. The parent/parents are prohibited from removing the child from the court's judicial circuit without prior approval of the court and entry of an order authorizing them to do so. Should the parents fail to comply with these requirements or the child be unable to be located, the Department may, at the department's discretion, notify local law enforcement and submit a missing child report. This language is designed to allow law enforcement to proceed with all missing child protocols including the commencement of a complete investigation

Denial of Shelter Petition. The Shelter Petition filed by the State of Florida is denied without prejudice and the Department of Children and Families is ordered to return the above-named child to the parents forthwith. The Court finds that the reason for removal of the child have been or can be remedied to the extent that the safety and well being of the child will not be endangered. Specifically the Court finds: _____

R. The Department of Children and Families shall have placement and care responsibility while the child is under protective supervision in an out-of-home placement.

DONE AND ORDERED in Milton, Santa Rosa County, Nunc Pro Tunc.

 9/9/2015
HONORABLE MARCI L. GOODMAN
CIRCUIT JUDGE

Certified copies to:

Children's Legal Services (1 Cert)
Federal Funding
Child Protective Investigator
FamiliesFirst Network
Guardian Ad Litem Program
Gina Sosnowski, c/o ~~CLS~~ or Court Appointed Attorney
Thomas Sosnowski, c/o ~~CLS~~ or Court Appointed Attorney
Custodian, c/o CLS

9/9/15
SSB

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR SANTA ROSA COUNTY, FLORIDA
JUVENILE DIVISION**

IN THE INTEREST OF:

ROMAN SOSNOWSKI **DOB:** 12/23/2009

MINOR CHILD

/ CASE NO: 15-DP-57

ORDER TERMINATING PROTECTIVE SERVICES SUPERVISION

THIS MATTER being brought before the Court on a Motion for Order Terminating Protective Services Supervision filed by the State of Florida Department of Children and Families (Department), and the Court, having considered the Motion, and being fully advised in the premises, finds:

1. It is in the best interest of the child to remain the care, custody and control of the mother, Gina Sosnowski.

2. The health, safety and well being of the child is not endangered by allowing the child to remain with the mother and the mother has substantially complied with the tasks of her Case Plan. The mother has displayed behavioral changes necessary to ensure Roman's safety in her care. The mother is a fit and proper person to care for Roman.

3. The child and the mother, Gina Sosnowski, are no longer in need of agency supervision and FamiliesFirst Network recommends termination of protective services supervision. ~~The mother defied the child protection services~~

supervision. *The mother defied the Judge's Order to undergo inpatient alcohol addiction recovery treatment*
4. On June 24, 2016, an order was entered granting the Department discretion to terminate protective services supervision by motion and order and without the necessity of a hearing and with concurrence from the Guardian ad Litem Program after the six month post placement date of September 17, 2016.

5. The Guardian ad Litem Program was discharged on September 13, 2016.

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

1. The Department's Motion to Terminate Protective Services Supervision is hereby **GRANTED**.

2. The child, ROMAN SOSNOWSKI, shall remain in the care, custody and control of the mother, Gina Sosnowski.

3. The father, Thomas Sosnowski, shall have NO CONTACT with the child, ROMAN SOSNOWSKI until further order of this court. This shall include any telephonic, electronic, or third party contact.

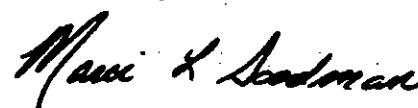
4. Protective Supervision is **TERMINATED**.

5. All prior Orders not inconsistent with the present Order shall remain in full force and effect.

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

7. That the Judicial Review Hearing scheduled for November 17, 2016, is hereby CANCELLED.

DONE AND ORDERED at Milton, Santa Rosa County, Florida.



eSigned by MARCI GOODMAN 09/29/2016 12:26:00 zH82u7Fz

HONORABLE MARCI L. GOODMAN
CIRCUIT COURT JUDGE

Copies furnished to:

Children's Legal Services
Megan Williams, FamiliesFirst Network
Eunice Maling, Attorney for the mother
Robert Allen, Attorney for the father
Guardian ad Litem

Dec. 5, 2019 Ex-Parte hearing

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR SANTA ROSA COUNTY, FLORIDA
JUVENILE DIVISION

IN THE INTEREST OF:

ROMAN SOSNOWSKI

DOB: 12/23/2009

MINOR CHILD

CASE NO: 15-DP-57

ORDER ON LONG TERM REVIEW, REINSTATEMENT OF PROTECTIVE
SERVICES SUPERVISION AND NOTICE OF NEXT HEARING

THIS CAUSE came before the Court on December 5, 2019, on a Long Time Review set by the Court. The Court having heard testimony and argument, and having been otherwise duly advised in the premises finds as follows:

1. **Jurisdiction:** The minor child who is the subject matter of these proceedings was adjudicated dependent, continues to be dependent, is of an age subject to the jurisdiction of the court, and is a resident of the State of Florida.

2. **Notice:** All persons entitled to notice of this hearing were properly noticed of the hearing and were provided a copy of documents filed for this hearing.

There is no proof that I received notice of the hearing

3. **Persons Present:** The following persons were present:

- Aoife Ritchie, Attorney for the State of Florida Children's Legal Services
- Bobbi Lowe, FamiliesFirst Network Child Welfare Team Manager
- Thomas Sosnowski, Father
- _____, Attorney for the Father
- Brittany Hightower, Adult sibling
- Child, ROMAN SOSNOWSKI
- Several family supports

ex parte
hearing

4. **Counsel for Parents:** The parent(s) were advised of the right to be represented by counsel throughout all hearings of the dependency proceedings.

The mother, Gina Sosnowski, is deceased

The father, Thomas Sosnowski, is currently incarcerated at Graceville Correctional Facility in Graceville, Florida.

*Both my son and I was extended in this December 5, 2019
EX PARTE hearing (see page 3)*

Dec. 5, 2019 Ex-Parte hearing

5. **Participation of the child.** The court finds that the child was invited to participate in the judicial proceedings and the child was present and did participate in the hearing.
6. **Findings of Fact:** The factual basis for the reinstatement of protective supervision is as follows:
 - a. The mother is deceased and the child needs a legal caregiver.
7. All parents whose location is known were notified of their 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.
8. **Placement:**

Out-of-Home Placement: It is in the best interests of the child to remain out of the parents' home at this time. The child is receiving safe and proper care. The child's current placement is the least restrictive, is appropriate, is in a setting that is as family-like and as close to the parent's home as possible, is consistent with the child's best interest and special needs and is designed to maintain stability in the child's educational placement. Continuation of the child in that home is contrary to the welfare of the child because the home situation presents a substantial and immediate danger to the child which cannot be mitigated by the provision of the preventative services at this time. As specified in the Judicial Review Social Study Report/Case Plan Update/Permanency Report filed by the Department of Children and Families for the purposes of this hearing, if the child is out of the home, reasonable efforts to prevent removal and eliminate the need for removal of the child from the home have been made by the Department of Children and Families and/or reunify; however, there is continued need for out-of-home placement to ensure the child's health, safety and well-being, and reunification with the biological mother and/or father at this time would be detrimental to the welfare and contrary to the best interests of the child.

A copy of the formal notice regarding a trust promulgated for the benefit of certain classes of children in care in Florida was attached to Shelter Petition as a means of providing notice. As set forth in that notice, representatives of the Department of Children and Families can provide additional information to the parents, custodians and Guardian Ad Litem as might be appropriate in each specific case.

The out-of-home placement is:

Relative placement with Brittany Hightower.

10. The records of a child under the supervision of or in the custody of the Department will be provided, upon request and at no cost, to the child who is the subject of the case record, and to the child's caregiver, guardian ad litem, or attorney. The information will be released in a manner and setting that are appropriate to the age and maturity of the child and the nature of the information being released.
11. The parent/parents is/are hereby notified of the right to participate in a private adoption plan and the availability of private placements of the child with an adoption entity as

Dec. 5, 2019 Ex-Parte hearing

defined in Chapter 63, Florida Statutes. If a parent executes a consent for adoption of a minor child with an adoption entity or qualified prospective adoptive parents and the requirements of section 63.082(6) are satisfied, the court will determine whether the best interests of the child are served by transferring custody of the minor child to the prospective parent selected by the parents or the adoption entity by considering and weighing all relevant factors, including, but not limited to:

- A. The permanency offered;
- B. The established bonded relationship between the child and the current caregiver in any potential adoptive home in which the child has been residing;
- C. The stability of the potential adoptive home in which the child has been residing as well as the desirability of maintaining continuity of placement;
- D. The importance of maintaining sibling relationships, if possible;
- E. The reasonable preferences and wishes of the child, if the court deems the child to be of sufficient maturity, understanding, and experience to express a preference;
- F. Whether a petition for termination of parental rights has been filed pursuant to s. 39.806(1)(f), (g), or (h);
- G. What is best for the child; and
- H. The right of the parent to determine an appropriate placement for the child

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Protective Services Supervision is hereby reinstated.
2. **Placement:**
 - The child is placed in the temporary care and custody of Brittany Hightower, relative, under the protective supervision of the Department. The Department shall have placement and care responsibility while the child is under protective supervision in an out-of-home placement.
3. **Visitation:**

ex parte hearing

Father:

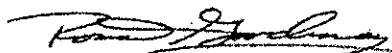
 - Suspended. The father shall have no contact with the minor child ROMAN SOSNOWSKI. This shall include any telephonic, electronic, or third-party contact.
4. **Other:** _____
5. **Consent to Treatment:** So long as the parents are unavailable, an authorized agent of the Department of Children and Families/Families First Network, including an adult relative or non-relative caregiver if the child is placed with such relative or non-relative caregiver, may consent to the ordinary and necessary medical and dental examinations and treatment, including Early Periodic Screening, Diagnosis and Treatment (EPSDT) blood testing and other blood testing deemed diagnostically necessary by documented history or

Dec. 5, 2019 Ex-Parte hearing

symptomatology; preventive care including ordinary immunizations, tuberculin testing, well-child care, but not including surgery, general anesthesia, HIV, and controlled substance blood testing, or other extraordinary procedures for which separate Court order or informed consent as provided by law shall be required.

6. **Medical Information:** The parents, legal custodians, legal guardians, or other caregivers, as applicable, shall provide the Department with all known information on the medical care and history of the child that is currently in their possession, including the names of all current and former medical providers of the child, within 24 hours of this order, and shall execute appropriate authorizations to release the child's medical information and records. Upon presentation of a copy of this order, a legal custodian appointed in these proceedings, or in the absence of such a legal custodian, the Department, its community based care contracted providers, including shelter/foster parents, or the person primarily responsible for the case management of the child, is hereby authorized to obtain copies of the child's medical records from any entity, including but not limited to, public and private health care providers and facilities, and may execute appropriate authorizations to release the child's medical information and records. Providers and facilities may require identification and a signature to ensure compliance with state and federal medical records laws.
7. **Child's Records:** The parents shall make all medical, dental, psychological, psychiatric records and school records of the child available to the Department of Children and Families/Families First Network and authorize the release of such records as needed for the continued supervision, care and custody of the child. So long as the parents are unavailable, an authorized agent of the Department of Children and Families/Families First Network, including an adult custodian, if the child is placed with such adult custodian, may consent to the release of such records as needed for the continued supervision, care and custody of the child.
8. **Retention of Jurisdiction.** The Court retains jurisdiction over the parties hereto and subject matter hereof to make such other and further Orders as the Court may deem necessary and proper.
9. This matter is scheduled for a Case Plan Review Hearing on January 30, 2020, at 9:00 a.m.
10. **Report of a Missing Child:** The parent(s) or custodians who have custody pursuant to this order must notify the case manager within two (2) days of any changes with regards to where the child resides, attends school or daycare, or any other changes in the child's location of care. The parent(s) or custodians are prohibited from removing the child from the court's judicial circuit without prior approval of the court and entry of an order authorizing them to do so. Should the parent(s) or custodians fail to comply with these requirements, or the child be unable to be located, the Department may, at the Department's discretion, notify local law enforcement and submit a missing child report. This language is designed to allow law enforcement to proceed with all missing child protocols including the commencement of a complete investigation.

Dec. 5, 2019 Ex-Parte hearing
IT IS SO ORDERED in Milton, Santa Rosa County, Florida.



eSigned by Ross Goodman in 15000057DPMXAX
on 12/17/2019 09:38:55 .hd2pkB

CIRCUIT COURT JUDGE

NOTICE OF HEARING

The Juvenile Court hereby gives notice of hearing in the above styled cause on January 30, 2020 at 9:00 a.m. for a Case Plan Acceptance Hearing and May 7, 2020 at 9:00 a.m. for a Judicial Review Hearing before the Honorable Ross Goodman, at the Santa Rosa County Courthouse, located at 6865 Caroline Street, S.E., Milton, Florida 32570, or as soon thereafter as counsel can be heard.

May 7, 2020 was an Ex Parte hearing

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled at no cost to you, to the provision of certain assistance. Please contact Court Administration, ADA Liaison, Santa Rosa County, 6865 Caroline Street, Milton, Florida 32570, Phone (850) 623-3159, Fax (850) 982-0602; ADA.SantaRosa@flcourts1.gov, at least seven days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

PLEASE BE GOVERNED ACCORDINGLY.

Copies furnished to:

Children's Legal Services, Aoife Ritchie, Aoife.Ritchie@myflfamilies.com;
michelle.lewis@myflfamilies.com; 6557 Caroline Street, Milton, FL 32570

FamiliesFirst Network, 6557 Caroline St, Milton, FL 32570

Thomas Sosnowski, DC# 413309 c/o Graceville Correctional Facility, 5168 Ezell Road, Graceville, FL 32440

Brittany Hightower, CONFIDENTIAL c/o CLS

Guardian ad Litem, c1galmi.eservice@gal.fl.gov; 5643 Stewart St, Milton, FL 32570

Federal Funding

June 25, 2020 hearing

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR SANTA ROSA COUNTY, FLORIDA
JUVENILE DIVISION

IN THE INTEREST OF:

ROMAN SOSNOWSKI

DOB:

MINOR CHILD

CASE NO: 15-DP-57

Judge entered
decision before knowing
I was in attendance
by phone

**ORDER ON DEPARTMENT'S MOTION TO CONTINUE CASE PLAN GOAL
OF PERMANANT GUARDIANSHIP, ORDER PLACING CHILD IN A
PERMANENT GUARDIANSHIP AND ORDER TERMINATING
PROTECTIVE SERVICES SUPERVISION**

THIS MATTER came on to be heard on **June 25, 2020** upon the motion from the Florida Department of Children and Families, hereinafter referred to as the Department, to place the above named child in a Permanent Guardianship, to Terminate Protective Supervision, and to Accept the Permanent Guardianship Case Plan pursuant to section 39.6221, Florida Statutes (2019), and Florida Rule of Juvenile Procedure 8.425, and this Court having reviewed the Motion and court file, having carefully considered and weighed all testimony and argument of counsel, and being fully advised of the premises, finds as follows:

1. **Jurisdiction:** The child, who is the subject matter of these proceedings, was adjudicated dependent, continues to be dependent, is of an age subject to the jurisdiction of the court, and/or resident of the State of Florida.
2. **Notice:** All persons entitled to notice of this hearing were properly noticed of the hearing and were provided a copy of documents filed for this hearing.
 The caregiver appeared did not appear for the hearing and
 was provided an opportunity to be heard and stated that the child is happy and no longer need services **That is exactly why my son attended
YEARS of child psychological trauma therapy sessions as a result**
3. **Persons Present:** The following persons were present: **of the Sept. 8, 2015 DCF action**
 Aoife Ritchie, Attorney for the State of Florida Children's Legal Services
 Hillary Jones, Child Welfare Case Manager
 Thomas Sosnowski, Father
 Jason Cobb, Attorney for the Father
 Patrick Jennings, Attorney Ad Litem
**Judgment was rendered against
me before the Judge realized I was
in attendance by way of telephone.
Transcripts will prove that and**
4. **Counsel for Parents:** The parents were advised of the right to be represented by counsel throughout all hearings of the dependency proceedings.
5. **Presence of Child:** Pursuant to Rule 8.255(b), Fla. R. Juv. P.:
**prove that Court
Appointed Counsel
provided
traitorous assistance**

June 25, 2020 hearing

The child was present at hearing. *after years of being brainwashed*

6. **Compliance with Conditions for Permanent Guardianship:** Pursuant to section 39.6221, Florida Statutes (2019), and Florida Rule of Juvenile Procedure 8.425(d), it is shown as follows:

- a. The above-named minor child was adjudicated dependent on November 24, 2015 and placed on December 4, 2019, in the temporary legal custody of Brittany Hightower, the proposed permanent guardian under protective supervision.
- b. The above-named child has been in the placement for not less than the preceding six months.
- c. The proposed permanent guardian is suitable and able to provide a safe and permanent home for the above-named child.
- d. The above-named child and the proposed permanent guardian are not likely to need supervision or services of the Department to ensure the stability of the permanent guardianship.
- e. The proposed permanent guardian has made the commitment to provide for the above-named child until the above-named child reaches the age of majority and to prepare the above-named child for adulthood and independence.
- f. The child demonstrates a strong attachment to the prospective permanent guardian and such guardian has a strong commitment to permanently caring for the child.
- g. Permanent Guardianship is in the best interest of the child instead of adoption because:
(SELECT ALL THAT APPLY AND/OR ADD ADDITIONAL REASONS)
Delete this sentence after selection
 - Adoption has been discussed with the current custodian and the custodian does not wish to adopt the child.
 - The child is 12 years of age or older and does not wish to be adopted.
 - The custodian is protective of the child and all parties agree the parent(s) should be able to maintain some contact with the child.
 - The child has spent a significant amount of time with the custodian since December 4, 2019, and removal from this placement is not in the best interest of the child.
 - The custodian will not be approved to adopt because: (enter specific reason)

June 25, 2020 hearing

h. Reasonable efforts were made to prevent or eliminate the need for removal of the minor child from the home by the Department; however, there is a continued need for out-of-home placement to ensure the minor child's health, safety, and well-being. Reunification with either parent at this time would be contrary to the welfare and not in the best interest of the minor child. The parents are not fit to care for the minor child and reunification is not possible.

(You must choose one of the following options. Delete this direction and the directions below after you insert the applicable findings):

OPTION 1: Insert specific findings that demonstrate why the parents are not fit to care for the child and why reunification is not possible.

Or

OPTION 2: Insert specific findings that were previously made in the order adjudicating the child dependent that establish why the parents are not fit to care for the child and why reunification is not possible.

Or

OPTION 3: Insert both of the findings outlined above.

i. The Court finds that despite being offered services to alleviate the issues that led to the order adjudicating the child dependent, the parents are not fit to care for the child and reunification is not possible because

(ENTER SPECIFICS OF LACK OF BEHAVIOR CHANGE AND CONTINUED THREAT OF HARM TO CHILD. Delete this sentence after entering the specifics)

Accordingly, it is **ORDERED AND ADJUDGED** that:

1. **Retention of Jurisdiction:** The court shall retain jurisdiction of the above-named child. Notwithstanding retention of jurisdiction, the placement shall be considered permanency for the above-named child.
2. The Court grants the Department's Motion to continue the case plan goal of Permanent Guardianship and Terminate Protective Services Supervision.
3. **Protective Supervision:** Supervision of the Department is hereby terminated.
4. **Placement:** the child is hereby placed in the custody of Brittany Hightower, in permanent guardianship.
5. **Rights/Duties of Permanent Guardian:** The permanent guardian shall have all the rights and duties of a parent, including, but not limited to: the right, duty, and authority to protect, train, and discipline the minor child; to provide the minor child with food, shelter, and education; to provide and consent to necessary medical, dental, psychiatric, and psychological examination and treatment; to provide for and consent to the child's travel,

June 25, 2020 hearing in which Judge extended
No Contact Order before realizing I was in attendance by phone

participation in social and extracurricular activities, and participation in driver's education or applying for a driver's license; and to obtain all records regarding the minor child, including medical, mental health, and educational records.

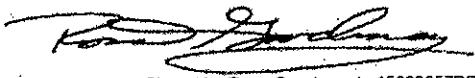
6. **Return to Parent:** The permanent guardian shall not return the minor child to the physical care and custody of the parents from whom the minor child was removed, including for short visitation periods, without the approval of the court.
7. **Change in Location or Care:** The proposed permanent guardian agrees to inform the clerk of court and the Department, in writing, of any change in the residential address of the permanent guardian or physical residence of the minor child within 10 days of the change.
8. **Court Orders:** The permanent guardian is ordered to follow the orders of this Court and to protect the minor child. If any order of this Court is violated, the minor child may be subject to temporary or permanent removal from the custody of the permanent guardian and the permanent guardian may be held in contempt of court.
9. **Order for the Permanent Guardian:** Pursuant to section 39.6221(3), Florida Statutes (2019) and Florida Rule of Juvenile Procedure 8.425(e), a separate order shall be entered establishing the authority of the permanent guardian to care for the above-named child, reciting the permanent guardian's powers and authority with regard to the above-named child, and providing any other information the court deems proper which can be provided to persons who are not parties to the proceeding as necessary, notwithstanding confidentiality provisions of section 39.202.
10. **Visitation:** Pursuant to section 39.6221(2)(c), Florida Statutes (2019) and section 39.6221(2)(d), Florida Statutes (2019) parent and/or grandparent visitation with the child shall be as follows:
Father:
 Suspended.
 Other conditions: _____
11. **Additional Rulings:** _____

12. **Prior Orders:** All prior orders that relate to visitation, protection of the child and limitations on custody of the child, so long as they do not conflict with the provisions of this order, shall remain in full force and effect unless modified by the court.

June 25, 2020 hearing

13. **Case Plan:** The Case Plan with the permanency goal of Permanent Guardianship is hereby CONTINUED.

IT IS SO ORDERED in Milton, Santa Rosa County, Florida.



eSigned by Ross Goodman in 15000057DPMXAX
on 07/10/2020 12:40:07 UY.S6qqj

CIRCUIT COURT JUDGE

Copies to:

Children's Legal Services, Aoife Ritchie, Aoife.Ritchie@myflfamilies.com;
michelle.lewis@myflfamilies.com; 6557 Caroline Street, Milton, FL 32570
Hillary Jones, CWCM, Hillary.Jones@bhcpns.org, FFN, 8750 Ortega Park Drive, Navarre, FL
32563
Jason Cobb, Attorney for the father jasonandrewcobb@earthlink.net,
melissajasoncobb@yahoo.com; 1073 Caswell Rd, Defuniak Springs, FL 32433
Guardian ad Litem, c1galmi.eservice@gal.fl.gov; 5643 Stewart St, Milton, FL 32570
Brittany Hightower, c/o CLS