

IN THE DISTRICT COURT OF
APPEAL

FIRST DISTRICT, STATE OF
FLORIDA

NOT FINAL UNTIL TIME EXPIRES
TO FILE MOTION FOR REHEARING
AND DISPOSITION THEREOF IF
FILED

DEPARTMENT OF CHILDREN
AND FAMILIES,

Appellant,

v.

IN THE INTEREST OF L. R., A
CHILD,

Appellee.

CASE NO. 1D05-0645

Opinion filed November 29, 2005.

An appeal from the Circuit Court for Duval County.
Judge W. Gregg McCaulie.

Jodi Seitlin, State of Florida Department of Children and Families, Jacksonville,
for Appellant.

Carole Vogel, Jacksonville; Guardian Ad Litem; Guy Victor Murray, Jacksonville,
for Appellee.

PER CURIAM.

Notwithstanding that she had signed a written consent to the petition for
dependency, the child's mother was entitled to notice and an opportunity to be

heard with regard to all proceedings regarding the dependency of her child. J. H. v. Department of Children & Families, 890 So. 2d 476 (Fla. 5th DCA 2004); C. L. R. v. Department of Children & Families, 30 Fla. L. Weekly D2574 (Fla. 5th DCA Nov. 10, 2005). This includes entitlement to notice and opportunity to attend the mediation conference involving the father of the child. Because the mother did not receive such notice, the trial court should have granted the motion to set aside the mediation agreement. The order denying the motion to set aside the mediation agreement is therefore REVERSED and the case is REMANDED to the trial court with directions to set aside the mediation agreement and to order mediation after proper notice to all parties, including both of the child's natural parents.

ERVIN, BARFIELD, and VAN NORTWICK, JJ., concur.