

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2007

D.C., the natural parent,
Appellant,

v.

DEPARTMENT OF CHILDREN & FAMILIES,
Appellee.

No. 4D07-2038

[October 24, 2007]

PER CURIAM.

D.C. appeals an order adjudicating her minor children dependent and an order requiring her to submit to a psychological evaluation.

We affirm both the order adjudicating D.C.'s minor children dependent and the trial court's ruling that D.C. shall submit to a psychological evaluation. However, the order for D.C.'s psychological evaluation must be reversed because it fails to specify the "time, place, manner, conditions, and scope of examination."

Florida Rule of Juvenile Procedure 8.250(b) requires that an order to submit to a psychological evaluation specify the "time, place, manner, conditions, and scope of the examination". See § 39.407(15), Fla. Stat. (2006) (requiring that the procedures set out in the Florida Rules of Juvenile Procedure be followed when issuing an order to submit to a psychological evaluation). Here, the order states that "D.C. shall complete a psychological evaluation" and does not specify "time, place, manner, conditions, and scope of the examination". Thus, the trial court erred because its order does not comply with the requirements of rule 8.250(b).

Therefore, upon remand, consistent with this opinion, the trial court shall amend the order requiring D.C. to submit to a psychological evaluation.

Affirmed in Part, Reversed in Part, and Remanded.

GUNTHER, WARNER and GROSS, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Hope Tieman Bristol, Judge; L.T. Case No. 2000-10806 CJ-DP.

Andrew A. Holness of Andrew A. Holness, P.A., Fort Lauderdale, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Jeffrey P. Bassett, Assistant Attorney General, Children's Legal Services, Fort Lauderdale, for appellee.

Not final until disposition of timely filed motion for rehearing