

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2008

E.I., the Mother,
Appellant,

v.

DEPARTMENT OF CHILDREN AND FAMILIES,
Appellee.

No. 4D07-4847

[May 7, 2008]

ON MOTION FOR CLARIFICATION

POLEN, J.

Appellee, the Department of Children and Families, has filed a motion for clarification of this court's opinion in *E.I. v. Department of Children and Families*, 2008 WL 1734505 (Fla. 4th DCA 2008). This court affirmed the trial court's denial of E.I.'s motion for extraordinary relief and reunification but remanded for entry of a corrected order containing the appropriate factual findings required by Florida statute. The statute cited by this court was section 39.522(2), Florida Statutes, which deals with post-disposition changes in custody in active dependency cases.

On its motion for clarification, the Department asks this court to clarify its opinion by substituting section 39.621(10), Florida Statutes, as it is the controlling statute in this case as it deals with post-closure motions to reactivate. We agree with the Department's assertion and correct the scrivener's error in the previously issued opinion. We withdraw the section of the opinion referencing section 39.522(2), Florida Statutes, and substitute section 39.621(10), Florida Statutes, in its place. This substitution does not change the result of the case as the six factors to be considered by the court as per our opinion are found in section 39.621(10), Florida Statutes.

GROSS and MAY, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit,
Broward County; John B. Bowman, Judge; L.T. Case No. 05-7814 CJDP.

Lori D. Shelby, Fort Lauderdale, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Jeffrey P. Bassett,
Assistant Attorney General, Fort Lauderdale, for appellee.