

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

Q.M., a child,

Appellant,

v.

CASE NO. 1D07-2705

STATE OF FLORIDA,

Appellee.

Opinion filed December 5, 2007.

An appeal from the Circuit Court for Leon County.
Angela C. Dempsey, Judge.

Nancy Daniels, Public Defender, and Glen P. Gifford, Assistant Public Defender,
Office of the Public Defender, Tallahassee, for Appellant.

Bill McCollum, Attorney General, Office of the Attorney General, Tallahassee, for
Appellee.

PER CURIAM.

The condition of probation requiring the child to attend family counseling if
recommended by the Department of Juvenile Justice is stricken on the ground that it

is an improper delegation of judicial authority. See Huffman v. State, 472 So. 2d 469 (Fla. 1st DCA 1985); T.L.D. v. State, 586 So. 2d 1294 (Fla. 4th DCA 1991). In all other respects, the order withholding adjudication of delinquency is affirmed.

Affirmed as modified.

WEBSTER, PADOVANO, and POLSTON, JJ., CONCUR.