

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

In the Interest of S.E., a child.)
_____))
J.W.,))
))
Appellant,))
v.))
))
DEPARTMENT OF CHILDREN AND))
FAMILIES and GUARDIAN AD))
LITEM PROGRAM,))
))
Appellees.))
_____))

Case No. 2D17-5088

Opinion filed June 20, 2018.

Appeal from the Circuit Court for
Hillsborough County; Caroline Tesche
Arkin, Judge.

Ita M. Neymotin, Regional Counsel,
Second District, Fort Myers, and Marisa L.
Gonzalez, Assistant Regional Counsel,
Office of Criminal Conflict and Civil
Regional Counsel, Tampa, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, Mary Soorus, Assistant
Attorney General, Tampa, for Appellee
Department of Children and Families.

Thomasina F. Moore, Statewide Director of
Appeals, and Laura J. Lee, Appellate
Counsel, Sanford; and J. Logan Murphy of

Hill Ward Henderson, Tampa, for Appellee
Guardian ad Litem Program.

PER CURIAM.

J.W., the father, appeals from the circuit court's amended order terminating protective services and jurisdiction, reunifying the child with the mother, and denying a motion for rehearing. He raises two issues on appeal. The Department of Children and Families (the Department) concedes error as to both issues, and the Guardian ad Litem Program (GALP) concedes error as to the first issue. We accept the Department's and the GALP's concessions of error to the extent they acknowledge that the circuit court failed to comply with the requirements of section 39.521(7), Florida Statutes (2017). We therefore reverse and remand the portion of the order that terminates the Department's supervision and the circuit court's jurisdiction.

Furthermore, in ordering reunification of the mother with the child, the circuit court failed to comply with the requirements of section 39.522.¹ Thus, we also reverse the portion of the order granting reunification. We remind the circuit court that on remand it must comply with all the requirements of chapter 39.

Reversed and remanded for further proceedings.

KELLY, CRENSHAW, and BLACK, JJ., Concur.

¹We note that the circuit court sua sponte ordered reunification of the mother with the child and that the issue of reunification was not before it at the time it did so. Because none of the parties have raised the issue of whether this was appropriate, we need not make that determination.