

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 G.C., a child.)
_____))
J.C., and GUARDIAN AD LITEM)
PROGRAM)
Appellants,)
v.)
DEPARTMENT OF CHILDREN)
AND FAMILY SERVICES,)
Appellee.)
_____)

Case No. 2D13-2079

Opinion filed September 18, 2013.

Appeal from the Circuit Court for Manatee
County; Scott M. Brownell, Judge.

Patrick R. Cunningham, Bradenton,
for Appellant J.C.

Jennifer S. Paullin, Sanford, for Appellant
Guardian ad Litem Program.

Stephanie C. Zimmerman, Tampa, for
Appellee.

SLEET, Judge.

J.C., the mother of G.C., appeals the trial court's order on permanency
review and notice of next hearing, which denied the Guardian ad Litem's motion for

reunification, placed G.C. in a permanent guardianship, and terminated supervision by the Department of Children and Family Services.¹ The Department correctly concedes error because the case plan improperly requires the mother to admit to having caused harm to the minor child before reunification can take place in contravention to section 39.6011(1), Florida Statutes (2012).

We also agree with the Department's concession of error that the trial court's order was not supported by competent, substantial evidence. See C.A. v. Dep't of Children & Families, 988 So. 2d 1247, 1248-49 (Fla. 4th DCA 2008) ("[P]lacement of a child in a permanent guardianship requires a finding by the trial court that reunification . . . is not in the best interests of the child, and that finding must be supported by competent substantial evidence.") Accordingly, we reverse the trial court's order and remand for further proceedings.

Reversed and remanded.

KHOUZAM and CRENSHAW, JJ., Concur.

¹The Guardian ad Litem Program filed an initial brief adopting J.C.'s arguments.