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LEGISLATIVE ACTION

Senate

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House

The Committee on Children, Families, and Elder Affairs (Rouson)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as "Jordan's Law."

Section 2. Section 25.385, Florida Statutes, is amended to
read:

25.385 Standards for instruction of circuit and county
court judges ~~in handling domestic violence cases.~~—

(1) The Florida Court Educational Council shall establish



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standards for instruction of circuit and county court judges who have responsibility for domestic violence cases, and the council shall provide such instruction on a periodic and timely basis.

~~(2) As used in this subsection, section:~~

~~(a) the term "domestic violence" has the meaning set forth in s. 741.28.~~

~~(b) "Family or household member" has the meaning set forth in s. 741.28.~~

(2) The Florida Court Educational Council shall establish standards for instruction of circuit and county court judges who have responsibility for dependency cases regarding the recognition of and responses to head trauma and brain injury in a child under 6 years of age. The council shall provide such instruction on a periodic and timely basis.

Section 3. Section 39.0142, Florida Statutes, is created to read:

39.0142 Notifying law enforcement officers of parent or caregiver names.—The Department of Law Enforcement shall provide information to a law enforcement officer stating whether a person is a parent or caregiver who is currently the subject of a child protective investigation for alleged child abuse, abandonment, or neglect or is a parent or caregiver of a child who has been allowed to return to or remain in the home under judicial supervision after an adjudication of dependency. This information shall be provided via a Florida Crime Information Center query into the department's child protection database.

(1) All interactions between a law enforcement officer and a parent or caregiver as described in this section, shall be reported and details provided by the law enforcement officer to



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the central abuse hotline immediately after the interaction.

(2) The central abuse hotline shall provide any relevant information to:

(a) The child protective investigator, if the parent or caregiver is the subject of a child protective investigation; or

(b) The child's case manager and the attorney representing the department, if the parent or caregiver has a child under judicial supervision after an adjudication of dependency.

Section 4. Paragraph (b) of subsection (2) of section 39.8296, Florida Statutes, is amended to read:

39.8296 Statewide Guardian Ad Litem Office; legislative findings and intent; creation; appointment of executive director; duties of office.—

(2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a Statewide Guardian Ad Litem Office within the Justice Administrative Commission. The Justice Administrative Commission shall provide administrative support and service to the office to the extent requested by the executive director within the available resources of the commission. The Statewide Guardian Ad Litem Office shall not be subject to control, supervision, or direction by the Justice Administrative Commission in the performance of its duties, but the employees of the office shall be governed by the classification plan and salary and benefits plan approved by the Justice Administrative Commission.

(b) The Statewide Guardian Ad Litem Office shall, within available resources, have oversight responsibilities for and provide technical assistance to all guardian ad litem and attorney ad litem programs located within the judicial circuits.

1. The office shall identify the resources required to



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69 implement methods of collecting, reporting, and tracking
70 reliable and consistent case data.

71 2. The office shall review the current guardian ad litem
72 programs in Florida and other states.

73 3. The office, in consultation with local guardian ad litem
74 offices, shall develop statewide performance measures and
75 standards.

76 4. The office shall develop a guardian ad litem training
77 program, which shall include, but not be limited to, training on
78 the recognition of and responses to head trauma and brain injury
79 in a child under 6 years of age. The office shall establish a
80 curriculum committee to develop the training program specified
81 in this subparagraph. The curriculum committee shall include,
82 but not be limited to, dependency judges, directors of circuit
83 guardian ad litem programs, active certified guardians ad litem,
84 a mental health professional who specializes in the treatment of
85 children, a member of a child advocacy group, a representative
86 of the Florida Coalition Against Domestic Violence, and a social
87 worker experienced in working with victims and perpetrators of
88 child abuse.

89 5. The office shall review the various methods of funding
90 guardian ad litem programs, shall maximize the use of those
91 funding sources to the extent possible, and shall review the
92 kinds of services being provided by circuit guardian ad litem
93 programs.

94 6. The office shall determine the feasibility or
95 desirability of new concepts of organization, administration,
96 financing, or service delivery designed to preserve the civil
97 and constitutional rights and fulfill other needs of dependent



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children.

7. In an effort to promote normalcy and establish trust between a court-appointed volunteer guardian ad litem and a child alleged to be abused, abandoned, or neglected under this chapter, a guardian ad litem may transport a child. However, a guardian ad litem volunteer may not be required or directed by the program or a court to transport a child.

8. The office shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court an interim report describing the progress of the office in meeting the goals as described in this section. The office shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court a proposed plan including alternatives for meeting the state's guardian ad litem and attorney ad litem needs. This plan may include recommendations for less than the entire state, may include a phase-in system, and shall include estimates of the cost of each of the alternatives. Each year the office shall provide a status report and provide further recommendations to address the need for guardian ad litem services and related issues.

Section 5. Subsections (2) and (4) of section 402.402, Florida Statutes, are amended to read:

402.402 Child protection and child welfare personnel; attorneys employed by the department.—

(2) SPECIALIZED TRAINING.—All child protective investigators and child protective investigation supervisors employed by the department or a sheriff's office must complete



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the following specialized training:

(a) Training on the recognition of and responses to head trauma and brain injury in a child under 6 years of age.

(b) Training that is either focused on serving a specific population, including, but not limited to, medically fragile children, sexually exploited children, children under 3 years of age, or families with a history of domestic violence, mental illness, or substance abuse, or focused on performing certain aspects of child protection practice, including, but not limited to, investigation techniques and analysis of family dynamics. The specialized training may be used to fulfill continuing education requirements under s. 402.40(3)(e). Individuals hired before July 1, 2014, shall complete the specialized training by June 30, 2016, and individuals hired on or after July 1, 2014, shall complete the specialized training within 2 years after hire. An individual may receive specialized training in multiple areas.

(4) ATTORNEYS EMPLOYED BY THE DEPARTMENT TO HANDLE CHILD WELFARE CASES.—Attorneys hired on or after July 1, 2014, whose primary responsibility is representing the department in child welfare cases shall, within the first 6 months of employment, receive training in all of the following:

(a) The dependency court process, including the attorney's role in preparing and reviewing documents prepared for dependency court for accuracy and completeness.†

(b) Preparing and presenting child welfare cases, including at least 1 week shadowing an experienced children's legal services attorney preparing and presenting cases.†

(c) Safety assessment, safety decisionmaking tools, and



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safety plans.~~†~~

(d) Developing information presented by investigators and case managers to support decisionmaking in the best interest of children.~~†~~ and

(e) The experiences and techniques of case managers and investigators, including shadowing an experienced child protective investigator and an experienced case manager for at least 8 hours.

(f) The recognition of and responses to head trauma and brain injury in a child under 6 years of age.

Section 6. Paragraph (f) of subsection (1) and subsection (3) of section 409.988, Florida Statutes, are amended to read:
409.988 Lead agency duties; general provisions.—

(1) DUTIES.—A lead agency:

(f) Shall ensure that all individuals providing care for dependent children receive appropriate training and meet the minimum employment standards established by the department. Appropriate training shall include, but is not limited to, training on the recognition of and responses to head trauma and brain injury in a child under 6 years of age.

(3) SERVICES.—A lead agency must provide dependent children with services that are supported by research or that are recognized as best practices in the child welfare field. The agency shall give priority to the use of services that are evidence-based and trauma-informed and may also provide other innovative services, including, but not limited to, family-centered and cognitive-behavioral interventions designed to mitigate out-of-home placements and intensive family reunification services that combine child welfare and mental



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health services for families with dependent children under 6 years of age.

Section 7. Subsection (24) is added to section 409.996, Florida Statutes, to read:

409.996 Duties of the Department of Children and Families.—
The department shall contract for the delivery, administration, or management of care for children in the child protection and child welfare system. In doing so, the department retains responsibility for the quality of contracted services and programs and shall ensure that services are delivered in accordance with applicable federal and state statutes and regulations.

(24) The department, in collaboration with the lead agencies serving the judicial circuits selected in paragraph (a), may create and implement a program to more effectively provide case management services for dependent children under 6 years of age.

(a) The department may select up to three judicial circuits in which to develop and implement a program under this subsection. Priority shall be given to a circuit that has a high removal rate, significant budget deficit, significant case management turnover rate, and the highest numbers of children in out-of-home care or a significant increase in the number of children in out-of-home care over the last 3 fiscal years.

(b) The program shall:

1. Include caseloads for dependency case managers comprised solely of children who are under 6 years of age, except as provided in paragraph (c). The maximum caseload for a case manager shall be no more than 15 children if possible.



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2. Include case managers who are trained specifically in:

a. Critical child development for children under 6 years of age.

b. Specific practices of child care for children under 6 years of age.

c. The scope of community resources available to children under 6 years of age.

d. Working with a parent or caregiver and assisting him or her in developing the skills necessary to care for the health, safety, and well-being of a child under 6 years of age.

(c) If a child being served through the program has a dependent sibling, the sibling may be assigned to the same case manager as the child being served through the program; however, each sibling counts toward the case manager's maximum caseload as provided under paragraph (b).

(d) The department shall evaluate the permanency, safety, and well-being of children being served through the program and submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1, 2024, detailing its findings.

Section 8. Section 943.17297, Florida Statutes, is created to read:

943.17297 Training in the recognition of and responses to head trauma and brain injury.—The commission shall establish standards for the instruction of law enforcement officers in the subject of recognition of and responses to head trauma and brain injury in a child from under 6 years of age to aid an officer in the detection of head trauma and brain injury due to child abuse. By July 1, 2021, each law enforcement officer must



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successfully complete the training as part of the basic recruit training for a law enforcement officer, as required under s. 943.13(9), or as a part of continuing training or education required under s. 943.135(1).

Section 9. This act shall take effect July 1, 2019.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to child welfare; providing a short title; amending s. 25.385, F.S.; requiring the Florida Court Educational Council to establish certain standards for instruction of circuit and county court judges for dependency cases; creating s. 39.0142, F.S.; requiring the Department of Law Enforcement to provide certain information to law enforcement officers relating to specified individuals; providing how such information shall be provided to law enforcement officers; providing requirements for law enforcement officers and the central abuse hotline relating to specified interactions with certain persons and how to relay details of such interactions; amending s. 39.8296, F.S.; requiring that the guardian ad litem training program include training on the recognition of and responses to head trauma and brain injury in children younger than a specified age; amending s. 402.402, F.S.; requiring certain



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investigators, supervisors, and attorneys to complete training on the recognition of and responses to head trauma and brain injury in specified children; amending s. 409.988, F.S.; requiring lead agencies to provide certain individuals with training on the recognition of and responses to head trauma and brain injury in specified children; authorizing lead agencies to provide intensive family reunification services that combine child welfare and mental health services to certain families; amending s. 409.996, F.S.; requiring the department and certain lead agencies to create and implement a program to more effectively provide case management services to specified children; providing criteria for selecting judicial circuits for participation the program; specifying requirements of the program; requiring the Department of Children and families to evaluate the effectiveness of the program and submit a report to the Legislature and Governor by a specified date; creating s. 943.17297, F.S.; requiring the Criminal Justice Standards and Training Commission to incorporate specified training for law enforcement officers; requiring law enforcement officers, as of a specified date, to successfully complete such training as part of basic recruit training or continuing training or education; providing an effective date.