

Committee on Children, Families, and Elder Affairs

CS/CS/HB 1105 — Child Welfare

by Health and Human Services Committee; Children, Families and Seniors Subcommittee; and Rep. Tomkow and others (CS/CS/SB 1324 by Appropriations Committee; Children, Families, and Elder Affairs Committee; and Senators Simpson and Harrell)

The bill makes a number of changes to the laws relating to child welfare designed to increase the accountability of parents with children in out-of-home care, encourage better communication between caregivers and birth parents, and shorten the length of time children spend in out-of-home care. Specifically, the bill:

- Specifies timelines and steps in both foster parent licensing and approval of adoptive parents.
- Requires the Department of Children and Families (department) to notify the court of any report to the central abuse hotline that involves a child under court jurisdiction.
- Allows the department to file a shelter or dependency petition without the need for a new child protective investigation or the concurrence of the child protective investigator if the department determines that the safety plan is no longer sufficient to keep the child safe or that the parent or caregiver has not sufficiently increased his or her level of protective capacities to ensure the child's safety.
- Provides factors for the court to consider when determining whether a change of legal custody or placement is in the child's best interest.
- Provides circumstances under which a court may remove a child and place him or her in out-of-home care if a child was placed in his or her own home with an in-home safety plan or was reunited with a parent with an in-home safety plan.
- Requires circuit and county court judges for dependency cases to receive education relating to early childhood development, which includes the value of strong parent-child relationships, secure attachments, stable placements and the impact of trauma on children in out-of-home care.

The bill also provides legislative findings and intent and codifies responsibilities for working partnerships between foster parents and birth parents in order to ensure that children in out-of-home care achieve permanency as soon as possible, to reduce the likelihood they will re-enter care, and to ensure that families are prepared to resume care of their children.

The bill further provides a process for a community-based care lead agency to demonstrate the need to directly provide more than 35 percent of all child welfare services in the lead agency's service area.

Additionally, the bill codifies the creation and establishment of early childhood court (ECC) programs that serve the needs of children (typically under the age of three) in dependency court by using specialized dockets, multidisciplinary teams, community coordinators, and evidence-based treatment that supports the needs of the parent and child in a nonadversarial manner.

- The Office of the State Courts Administrator (OSCA) may coordinate with each participating circuit court to hire a community coordinator for the circuit's early

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childhood court program to manage programs and data collection between ECC court team participants.

- Directs OSCA to contract for an evaluation of the ECC's evidence-based treatment services and authorizes the OSCA to provide ECC court teams with training, consultation, and guidance.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 118-0