

By Senator Storms

10-00841B-10

20102676\_\_

1                                   A bill to be entitled  
2       An act relating to child welfare; amending s. 39.0121,  
3       F.S.; conforming a cross-reference; amending s.  
4       39.013, F.S.; providing that the circuit court has  
5       exclusive jurisdiction over a petition for an  
6       injunction to prevent child abuse; amending s.  
7       39.0138, F.S.; requiring the Department of Children  
8       and Family Services to conduct a juvenile delinquency  
9       records check and an out-of-state criminal history  
10      records check, if that state allows the release of  
11      such records, of certain persons before placement of a  
12      child; providing a directive to the Division of  
13      Statutory Revision; amending s. 39.301, F.S.; revising  
14      provisions relating to the initiation of child  
15      protective responses; providing definitions; providing  
16      for family-needs-assistance referrals and the  
17      initiation of child protective responses; providing  
18      for safety assessments; deleting provisions relating  
19      to preliminary determinations, when to file petitions  
20      for dependency, when to conduct onsite and enhanced  
21      onsite protective investigations, when certain  
22      services should be provided, certain training  
23      requirements, and certain rule adoption requirements;  
24      amending s. 39.502, F.S.; conforming cross-references;  
25      amending s. 39.504, F.S.; revising provisions relating  
26      to an injunction to prevent child abuse; providing for  
27      a temporary ex parte injunction; specifying when a  
28      person against whom an injunction is entered becomes a  
29      party to a subsequent dependency action; amending s.

10-00841B-10

20102676

30 39.521, F.S.; requiring the submission of fingerprints  
31 of certain persons residing in a home that is being  
32 considered for the out-of-home placement of a child;  
33 amending s. 39.6011, F.S.; shortening the timeframe  
34 for completing a case plan and revising when the  
35 timeframe begins; conforming a cross-reference;  
36 amending s. 39.621, F.S.; shortening the timeframe for  
37 holding a permanency hearing; amending s. 39.701,  
38 F.S., relating to judicial review hearings; conforming  
39 provisions to changes made by the act; amending s.  
40 39.8055, F.S.; revising provisions relating to filing  
41 a petition to terminate parental rights; amending s.  
42 39.806, F.S.; revising a cross-reference; amending s.  
43 39.823, F.S.; deleting a cross-reference; amending s.  
44 901.15, F.S.; authorizing a law enforcement officer to  
45 arrest without warrant a person who has violated an  
46 injunction to prevent child abuse; directing the  
47 Office of Program Policy Analysis and Government  
48 Accountability to evaluate the effectiveness of the  
49 child protective response system established under  
50 this act and submit reports to the Legislature;  
51 creating the Child Welfare Professionals Taskforce;  
52 specifying the scope of work of the taskforce;  
53 providing for appointment to the taskforce by the  
54 secretary of the department; requiring the department  
55 to provide administrative support; requiring an annual  
56 report; establishing the Child Safety Assessment  
57 Workgroup for the purpose of developing a safety  
58 assessment process and to report its findings to the

10-00841B-10

20102676

59 Legislature; providing an effective date.

60  
61 Be It Enacted by the Legislature of the State of Florida:

62  
63 Section 1. Paragraph (b) of subsection (16) of section  
64 39.0121, Florida Statutes, is amended to read:

65 39.0121 Specific rulemaking authority.—Pursuant to the  
66 requirements of s. 120.536, the department is specifically  
67 authorized to adopt, amend, and repeal administrative rules  
68 which implement or interpret law or policy, or describe the  
69 procedure and practice requirements necessary to implement this  
70 chapter, including, but not limited to, the following:

71 (16) Provisions for reporting, locating, recovering, and  
72 stabilizing children whose whereabouts become unknown while they  
73 are involved with the department and for preventing recurrences  
74 of such incidents. At a minimum, the rules must:

75 (b) Include criteria to determine when a child is missing  
76 for purposes of making a report to a law enforcement agency, and  
77 require that in all cases in which a law enforcement agency has  
78 accepted a case for criminal investigation pursuant to s.  
79 39.301(8) ~~s. 39.301(2)(c)~~ and the child's whereabouts are  
80 unknown, the child shall be considered missing and a report  
81 made.

82 Section 2. Subsection (2) of section 39.013, Florida  
83 Statutes, is amended to read:

84 39.013 Procedures and jurisdiction; right to counsel.—

85 (2) The circuit court has exclusive original jurisdiction  
86 of all proceedings under this chapter, of a child voluntarily  
87 placed with a licensed child-caring agency, a licensed child-

10-00841B-10

20102676

88 placing agency, or the department, and of the adoption of  
89 children whose parental rights have been terminated ~~under this~~  
90 ~~chapter~~. Jurisdiction attaches when the initial shelter  
91 petition, dependency petition, ~~or~~ termination of parental rights  
92 petition, or petition for an injunction to prevent child abuse  
93 issued pursuant to s. 39.504 is filed or when a child is taken  
94 into the custody of the department. The circuit court may assume  
95 jurisdiction over any such proceeding regardless of whether the  
96 child was in the physical custody of both parents, was in the  
97 sole legal or physical custody of only one parent, caregiver, or  
98 some other person, or was in the physical or legal custody of no  
99 person when the event or condition occurred that brought the  
100 child to the attention of the court. When the court obtains  
101 jurisdiction of a any child who has been found to be dependent,  
102 the court shall retain jurisdiction, unless relinquished by its  
103 order, until the child reaches 18 years of age. However:7

104 (a) If a youth petitions the court at any time before his  
105 or her 19th birthday requesting the court's continued  
106 jurisdiction, the juvenile court may retain jurisdiction ~~under~~  
107 ~~this chapter~~ for up to a period not to exceed 1 year following  
108 the youth's 18th birthday for the purpose of determining whether  
109 appropriate aftercare support, the Road-to-Independence Program,  
110 transitional support, mental health, and developmental  
111 disability services, to the extent ~~otherwise~~ authorized by law,  
112 have been provided to the formerly dependent child who was in  
113 the legal custody of the department immediately before his or  
114 her 18th birthday.

115 (b) If a petition for special immigrant juvenile status and  
116 an application for adjustment of status have been filed on

10-00841B-10

20102676

117 behalf of a foster child and the petition and application have  
118 not been granted by the time the child reaches 18 years of age,  
119 the court may retain jurisdiction over the dependency case  
120 solely for the purpose of allowing ~~the~~ continued consideration  
121 of the petition and application by federal authorities. Review  
122 hearings for the child shall be ~~set~~ solely for the purpose of  
123 determining the status of the petition and application. The  
124 court's jurisdiction terminates upon the final decision of the  
125 federal authorities. Retention of jurisdiction ~~in this instance~~  
126 does not affect the services available to a young adult under s.  
127 409.1451. The court may not retain jurisdiction of the case  
128 after the immigrant child's 22nd birthday.

129 Section 3. Subsection (1) of section 39.0138, Florida  
130 Statutes, is amended to read:

131 39.0138 Criminal history records check; limit on placement  
132 of a child.—

133 (1) The department shall conduct a criminal history records  
134 check on all persons age 12 years and older, including parents,  
135 being considered by the department for placement of a child  
136 ~~subject to a placement decision~~ under this chapter, including  
137 all nonrelative placement decisions, all members of the  
138 household of the person being considered, and frequent visitors  
139 to the household. For purposes of this section, a criminal  
140 history records check includes ~~may include~~, but is not limited  
141 to, submission of fingerprints to the Department of Law  
142 Enforcement for processing and forwarding to the Federal Bureau  
143 of Investigation for state and national criminal history  
144 information, ~~and~~ local criminal records checks through local law  
145 enforcement agencies, juvenile delinquency records check for

10-00841B-10

20102676

146 persons age 12 years and older, and. ~~A criminal history records~~  
147 ~~check must also include~~ a search of the department's automated  
148 abuse information system. An out-of-state criminal history  
149 records check must be initiated for any person who resided in  
150 another state if that state allows the release of such records.  
151 The department shall establish by rule standards for evaluating  
152 any information contained in the automated system relating to a  
153 person who must be screened for purposes of making a placement  
154 decision.

155 Section 4. The Division of Statutory Revision is requested  
156 to rename part III of chapter 39, Florida Statutes, as "Child  
157 Protection."

158 Section 5. Section 39.301, Florida Statutes, is amended to  
159 read:

160 (Substantial rewording of section. See  
161 s. 39.301, F.S., for present text.)

162 39.301 Child protection.-

163 (1) LEGISLATIVE INTENT AND PURPOSE.-

164 (a) The Legislature recognizes that while most parents want  
165 to keep their children safe, sometimes circumstances or  
166 conditions interfere with their ability to do so. When this  
167 occurs, children and their families are best served by  
168 interventions that engage their protective capacities and  
169 address immediate safety concerns as well as ongoing risks of  
170 harm. It is therefore the intent of the Legislature that the  
171 department respond to reports of child abuse, abandonment, or  
172 neglect in a manner that ensures the safety of children while  
173 maintaining the integrity of the family.

174 (b) The purpose of this section is to provide procedures

10-00841B-10

20102676\_\_

175 that allow the department to respond to:

176 1. Calls that do not meet the criteria for a report of  
177 child abuse, abandonment, or neglect, but that indicate that the  
178 family needs assistance, as family-needs-assistance referrals;  
179 and

180 2. Reports of child abuse, abandonment, or neglect by  
181 providing services to families in a manner that adheres to a  
182 family centered practice model without the need for a child  
183 protective investigation, or by conducting a child protective  
184 investigation if warranted.

185 (2) DEFINITIONS.—As used in this section, the term:

186 (a) "Case manager" means an individual who is accountable  
187 for service delivery relating to safety, permanency, and well-  
188 being for a caseload of children and families under supervision.

189 (b) "Criminal conduct" means a child is known or suspected  
190 to:

191 1. Be the victim of child abuse or neglect of a child, as  
192 those terms are defined in s. 827.03.

193 2. Have died as a result of abuse or neglect.

194 3. Be the victim of aggravated child abuse, as defined in  
195 s. 827.03.

196 4. Be the victim of sexual battery, as defined in s.  
197 827.071, or the sexual abuse of a child, as defined in s. 39.01.

198 5. Be the victim of institutional child abuse or neglect,  
199 as defined in s. 39.01, and as provided for in s. 39.302(1).

200 6. Be a victim of human trafficking, as provided in s.  
201 787.06.

202 (c) "Family centered practice" means a service delivery  
203 model that is based upon the core principles that the best place

10-00841B-10

20102676\_\_

204 for a child to grow up is in his or her family and that  
205 providing services that engage, involve, strengthen, and support  
206 families is the most effective way to ensure the safety,  
207 permanency, and well-being of a child. Family centered practice  
208 is characterized by mutual trust, respect, honesty, and open  
209 communication between parents or other caregivers and service  
210 providers. Families are active participants in the development  
211 of policy, program design, and evaluation, and are active  
212 decisionmakers in selecting services for themselves and their  
213 children. Family and child assessment is strengths based and  
214 solution focused. Services are community based and build upon  
215 informal supports and resources.

216 (d) "Family centered practice response" means a  
217 nonadversarial approach for responding to reports of child  
218 abuse, abandonment, or neglect which assesses the risk to the  
219 child and family and, if appropriate, delivers services that  
220 remove the risk to the child and support the integrity of the  
221 family.

222 (e) "Protective capacities" means the cognitive,  
223 behavioral, and emotional qualities that enable an individual or  
224 family to keep a child safe.

225 (f) "Risk" is the probability of future maltreatment,  
226 regardless of severity, and is commonly assessed on a continuum  
227 from low to high.

228 (g) "Safety assessment" means a process in which a  
229 determination is made as to whether a child is safe or unsafe:

230 1. A child is safe if:

231 a. There are no threats of danger within the family; or

232 b. Parents have sufficient protective capacities to manage



10-00841B-10

20102676\_\_

233 any threats.

234 2. A child is unsafe if:

235 a. Threats of danger exist within the family;

236 b. The child is vulnerable to those threats; and

237 c. Parents have insufficient protective capacities to  
238 manage or control threats.

239 (3) FAMILY-NEEDS-ASSISTANCE REFERRAL.-

240 (a) Upon receiving a call that does not meet the criteria  
241 for being a report of child abuse, abandonment, or neglect, but  
242 that indicates that the family needs assistance, the central  
243 abuse hotline shall accept these calls for a family-needs-  
244 assistance referral and immediately transfer the referral to the  
245 county where the family is currently residing.

246 (b) The referral must be reviewed by the community-based  
247 care lead agency within 24 hours after being received from the  
248 central abuse hotline to determine the appropriate response,  
249 which includes at least one of the following:

250 1. The community-based care lead agency contacts the  
251 central abuse hotline to request an abuse, abandonment, or  
252 neglect intake if further review has warranted such action; or

253 2. The community-based care lead agency visits the home to  
254 determine service needs and connect families or individuals to  
255 such services. The visit must occur within 2 business days after  
256 the family-needs-assistance referral was received from the  
257 central abuse hotline.

258 (c) The department and the community-based care lead  
259 agencies must maintain up-to-date documentation of all family-  
260 needs-assistance referrals. Documentation must include, at a  
261 minimum:

10-00841B-10

20102676

262 1. The number of referrals received;

263 2. The type of response to each referral;

264 3. An indication of whether or not the family accepted  
265 services;

266 4. If services were accepted by the family, what services  
267 were delivered and the cost of those services;

268 5. The outcome of services accepted and delivered;

269 6. Whether or not families who are the subject of the  
270 referral return to the attention of the department as a  
271 subsequent family-needs-assistance referral, as the subject of a  
272 report accepted for a family centered practice response, or a  
273 child protective investigation; and

274 7. Any additional information that enables a determination  
275 of the success of the family-needs-assistance referral approach.

276 (4) INITIATION OF A CHILD PROTECTIVE RESPONSE.-

277 (a) Upon receiving a call that meets the criteria for a  
278 report of known or suspected child abuse, abandonment, or  
279 neglect, or that a child is in need of supervision and care and  
280 does not have a parent, legal custodian, or responsible adult  
281 relative immediately known and available to provide supervision  
282 and care, the central abuse hotline shall determine if the  
283 report requires an immediate response.

284 1. For reports requiring an immediate response, the central  
285 abuse hotline shall immediately notify the department or  
286 designated sheriff's office who has the authority and  
287 responsibility for ensuring that a response is promptly  
288 initiated.

289 2. For reports not requiring an immediate response, the  
290 central abuse hotline shall notify the department or designated

10-00841B-10

20102676

291 sheriff's office who has the authority and responsibility for  
292 responding within the required 24 hours.

293 (b) At the time of notification, the central abuse hotline  
294 shall also provide information to the department or designated  
295 sheriff's office on any previous report concerning a subject of  
296 the present report or any pertinent information relative to the  
297 present report or any earlier reports.

298 (c) The department shall immediately forward allegations of  
299 criminal conduct to the law enforcement agency of the  
300 municipality or county in which the alleged conduct has occurred  
301 to be investigated under subsection (8).

302 (d) The department shall maintain a master file for each  
303 child whose report is accepted by the central abuse hotline for  
304 a response, which must include information on all reports  
305 received concerning that child. The file must be made available  
306 to any department staff, agent of the department, or contract  
307 provider that has responsibility for responding.

308 (5) CHILD SAFETY ASSESSMENT.—For each report accepted by  
309 the central abuse hotline alleging child abuse, abandonment, or  
310 neglect, the department or the sheriff providing child  
311 protective response services, shall, as part of the response,  
312 perform a safety assessment through the use and completion of a  
313 standardized safety assessment instrument to determine if the  
314 child is safe or unsafe based on an evaluation of risk to the  
315 child.

316 (a) The safety assessment must be completed as soon as  
317 possible, but within 48 hours after initial contact with the  
318 alleged victim and must be updated as needed. The safety  
319 assessment must be conducted in a manner that is sensitive to

10-00841B-10

20102676

320 the social, economic, and cultural environment of the family  
321 and, at a minimum, must include:

322 1. Face-to-face interviews with the child, siblings,  
323 caregivers, and all other adults in the household.

324 2. Collateral contacts with individuals likely to have  
325 knowledge of the family, specifically including the reporter.

326 3. A determination of the composition of the family or  
327 household, including the name, address, date of birth, social  
328 security number, gender, and race of each child named in the  
329 report, each sibling of each such child, any other child in the  
330 same household or in the care of the same caregiver, the  
331 caregiver, and any other adults living in the household.

332 4. A state and federal criminal records check, including,  
333 if feasible, the records of the Department of Corrections, of  
334 the child's caregivers, the child's parents if not the child's  
335 caregiver, and any other persons in the same household, which  
336 may be used solely for purposes supporting the detection,  
337 apprehension, prosecution, pretrial release, posttrial release,  
338 or rehabilitation of criminal offenders or persons accused of  
339 the crimes of child abuse, abandonment, or neglect. The  
340 information may not be further disseminated or used for any  
341 other purpose. The department's child protective responders are  
342 designated a criminal justice agency for the purpose of  
343 accessing criminal justice information to be used for enforcing  
344 state laws concerning the crimes of child abuse, abandonment,  
345 and neglect.

346 5. A determination whether there is any indication that any  
347 child in the family or household has been abused, abandoned, or  
348 neglected by a caregiver and, if so, the nature, extent, and

10-00841B-10

20102676\_\_

349 evidence of present or prior abuse, abandonment, or neglect.

350 (b) If the child protective responder determines that the  
351 child is safe but there is a risk of future harm, further  
352 assessment is unnecessary and the department shall contact the  
353 appropriate community-based care lead agency to designate a case  
354 manager for families that have accepted services to develop a  
355 family centered services plan under subsection (6).

356 (c) If the child protective responder determines that the  
357 child is unsafe, the responder shall immediately initiate a  
358 child protective investigation under subsection (7).

359 (6) FAMILY CENTERED PRACTICE RESPONSE.—

360 (a) If the child safety assessment concludes that the child  
361 is safe but there is a risk for future harm and the family has  
362 been offered and has accepted services, the department shall  
363 contact the community-based care lead agency to designate a case  
364 manager to engage the family and develop a family centered  
365 practice services plan. Activities conducted under this  
366 paragraph must recognize and support the following basic tenets  
367 of family centered practice:

368 1. Making the family the center of attention.

369 2. Strengthening the protective capacities of the family.

370 3. Engaging the family in every aspect of service delivery,  
371 including assessment, determining solutions to problems, and  
372 selecting service providers.

373 4. Linking the family to comprehensive, culturally  
374 relevant, formal and informal, community-based supports and  
375 services.

376 (b) Services provided to a family under this subsection  
377 must be voluntary and of a limited duration.

10-00841B-10

20102676

378 (c) No one is identified and labeled as a perpetrator.

379 (d) If at any time as a result of additional information,  
380 findings of facts, or changing conditions, or the refusal of  
381 services by a family, a child is at risk for future harm, the  
382 department may pursue a child protective investigation as  
383 provided in subsection (7).

384 (7) CHILD PROTECTIVE INVESTIGATION.—If the child safety  
385 assessment concludes that the child is unsafe, a child  
386 protective investigation shall be immediately initiated. To the  
387 extent practical, all child protective investigations must be  
388 conducted or supervised by a single child protective responder  
389 in order to facilitate broad knowledge and understanding of the  
390 child's history.

391 (a) If a new child protective responder is assigned to  
392 investigate a second and subsequent report involving a child, a  
393 multidisciplinary staffing must be conducted which includes new  
394 and prior responders, their supervisors, and appropriate private  
395 providers in order to ensure, to the extent possible, that there  
396 is coordination among all parties.

397 (b) The department shall establish procedures that ensure  
398 that all required investigatory activities, including a review  
399 of the child's complete investigative and protective services  
400 history, are completed by the child protective responder,  
401 reviewed by the supervisor in a timely manner, and signed and  
402 dated by the child protective responder and the child protective  
403 responder's supervisor. Detailed documentation is required for  
404 all investigative activities.

405 (c) A child protective responder's visit to the household  
406 and face-to-face interviews with the child or family must be

10-00841B-10

20102676\_\_

407 unannounced unless it is determined by the child protective  
408 responder that an unannounced visit would threaten the safety of  
409 the child.

410 (d) If the child protective responder is denied reasonable  
411 access to a child by the child's caregivers and the department  
412 deems that the best interests of the child require access, the  
413 responder shall seek an appropriate court order or other legal  
414 authority before examining and interviewing the child.

415 (e) If a report was received from a reporter listed under  
416 s. 39.201(1) (b), the child protective responder must provide his  
417 or her contact information to the reporter within 24 hours after  
418 being assigned to the child protective investigation. The  
419 responder must also advise the reporter that he or she may  
420 provide a written summary of the report made to the central  
421 abuse hotline to the child protective responder which shall  
422 become a part of the master file.

423 (f) Upon commencing an investigation, the child protective  
424 responder shall inform any subject of the investigation:

425 1. The names of the responders and identifying credentials  
426 from the department;

427 2. The purpose of the investigation; and

428 3. The subject's right to obtain an attorney and how  
429 information provided by the subject may be used.

430 (g) In addition to the requirements of paragraph (f), the  
431 child protective responder shall inform the parent or legal  
432 custodian of the child of:

433 1. The possible outcomes of the investigation and the  
434 availability of services;

435 2. The right of the parent or legal custodian to be

10-00841B-10

20102676

436 involved to the fullest extent possible in determining the  
437 nature of the allegation and any identified problem;

438 3. The right of the parent or legal custodian to refuse  
439 services, as well as the responsibility of the department to  
440 protect the child regardless of the acceptance or refusal of  
441 services. If the services are refused, a collateral contact  
442 identified under subparagraph (5)(a)2. must include a relative  
443 if the child protective responder has knowledge of, and the  
444 ability to contact, a relative;

445 4. The responsibility of the child protective responder to  
446 identify and notify adult relatives within 30 days after a  
447 child's placement in licensed care; and

448 5. The duty of the parent or legal custodian to report any  
449 change in the residence or location of the child to the child  
450 protective responder and that the duty to report continues until  
451 the investigation is closed.

452 (h) If, after having been notified of the requirement to  
453 report a change in residence or location of the child to the  
454 child protective responder, a parent or legal custodian causes  
455 the child to move, or allows the child to be moved, to a  
456 different residence or location, or if the child leaves the  
457 residence on his or her own accord and the parent or legal  
458 custodian does not notify the child protective responder of the  
459 move within 2 business days, the child may be considered to be a  
460 missing child for the purposes of filing a report with a law  
461 enforcement agency under s. 937.021.

462 (i) At any time after the commencement of a child  
463 protective investigation, a relative may submit in writing to  
464 the child protective responder or case manager a request to



10-00841B-10

20102676\_\_

465 receive notification of all proceedings and hearings in  
466 accordance with s. 39.502. The request must include the  
467 relative's name, address, and telephone number and the  
468 relative's relationship to the child. The child protective  
469 responder or case manager shall forward such request to the  
470 department's attorney. Failure to provide notice to a relative  
471 who requests it or who is providing out-of-home care for a child  
472 may not cause any action of the court at any stage or proceeding  
473 in dependency or termination of parental rights under any part  
474 of this chapter to be set aside, reversed, modified, or in any  
475 way changed absent a finding by the court that a change is in  
476 the child's best interest.

477 (j) Immediately upon learning during the course of a child  
478 protective investigation that the immediate safety or well-being  
479 of a child is endangered, the family is likely to flee, or that  
480 the child is a victim of criminal conduct, the department shall  
481 orally notify the jurisdictionally responsible state attorney  
482 and county sheriff's office or local police department, and,  
483 within 3 working days, transmit a full written report to those  
484 agencies. Pursuant to subsection (8), the law enforcement agency  
485 shall review the report and determine whether a criminal  
486 investigation needs to be conducted. Any interested person who  
487 has information regarding an offense described in this paragraph  
488 may forward a statement to the state attorney as to whether  
489 prosecution is warranted and appropriate.

490 (k) The department shall complete its child protective  
491 investigation within 60 days after receiving the initial report,  
492 unless:

493 1. There is also an active, concurrent criminal

10-00841B-10

20102676

494 investigation that is continuing beyond the 60-day period and  
495 the closure of the child protective investigation may compromise  
496 successful criminal prosecution of the child abuse, abandonment,  
497 or neglect case, in which case the closure date must coincide  
498 with the closure date of the criminal investigation and any  
499 resulting legal action.

500 2. In a child death case, the final report of the medical  
501 examiner is necessary for the department to close a child  
502 protective investigation. If the report has not been received  
503 within the 60-day period, the closure date shall be extended to  
504 accommodate receipt and consideration of the medical examiner's  
505 report.

506 3. A child who is necessary to a child protective  
507 investigation has been declared missing by the department, a law  
508 enforcement agency, or a court, in which case the 60-day period  
509 shall be extended until the child has been located or until  
510 sufficient information exists to close the child protective  
511 investigation despite the unknown location of the child.

512 (1) If a child is taken into custody pursuant to this  
513 subsection, the department shall request that the child's  
514 caregiver disclose the names, relationships, and addresses of  
515 all parents and prospective parents and all next of kin, so far  
516 as are known.

517 (m) If a petition for dependency is not being filed by the  
518 department, the person or agency originating the report shall be  
519 advised of the right to file a petition pursuant to this  
520 chapter.

521 (n) If an investigation is closed and a person is not  
522 identified as a caregiver responsible for the abuse,

10-00841B-10

20102676\_\_

523 abandonment, or neglect alleged in the report, the fact that the  
524 person is named in some capacity in the report may not be used  
525 in any way to adversely affect the interests of that person.  
526 This prohibition applies to any use of the information in  
527 employment screening, licensing, child placement, adoption, or  
528 any other decisions by a private adoption agency or a state  
529 agency or its contracted providers, except that a previous  
530 report may be used to determine whether a child is safe and what  
531 the known risk is to the child at any stage of a child  
532 protection proceeding.

533 (8) CRIMINAL INVESTIGATIONS.—The department shall  
534 immediately forward allegations of criminal conduct to the  
535 municipal or county law enforcement agency of the municipality  
536 or county in which the alleged criminal conduct has occurred.

537 (a) Upon receiving a written report of an allegation of  
538 criminal conduct from the department, the law enforcement agency  
539 shall review the information in the report to determine whether  
540 a criminal investigation is warranted. If the law enforcement  
541 agency accepts the case for criminal investigation, it shall  
542 assume lead responsibility for all criminal fact-finding  
543 activities and coordinate its investigative activities with the  
544 department, if feasible. If the law enforcement agency does not  
545 accept the case for criminal investigation, the agency shall  
546 notify the department in writing.

547 (b) If the law enforcement agency conducts a criminal  
548 investigation into allegations of child abuse, neglect, or  
549 abandonment, photographs documenting the abuse or neglect may be  
550 taken if appropriate.

551 (c) Within 15 days after the case is reported to the state

10-00841B-10

20102676\_\_

552 attorney pursuant to this section, the state attorney shall  
553 report his or her findings to the department and must include in  
554 the report a determination of whether or not prosecution is  
555 justified and appropriate in view of the circumstances of the  
556 specific case.

557 (d) The local law enforcement agreement required in s.  
558 39.306 must describe the specific local protocols for  
559 implementing this section.

560 (9) SCHOOL INTERVIEWS.—

561 (a) If during a child protective investigation or a  
562 criminal investigation, the initial interview with the child is  
563 conducted at school, the department or the law enforcement  
564 agency may, notwithstanding the provisions of s. 39.0132(4),  
565 allow a school staff member who is known by the child to be  
566 present during the initial interview if:

567 1. The department or law enforcement agency believes that  
568 the school staff member could enhance the success of the  
569 interview by his or her presence; and

570 2. The child requests or consents to the presence of the  
571 school staff member at the interview.

572 (b) A school staff member may be present only as authorized  
573 by this subsection. Information received during the interview or  
574 from any other source regarding the alleged abuse or neglect of  
575 the child is confidential and exempt from s. 119.07(1), except  
576 as provided by court order.

577 (c) A separate record of the child protective investigation  
578 of the abuse, abandonment, or neglect may not be maintained by  
579 the school or school staff member.

580 (d) A violation of this subsection is a misdemeanor of the

10-00841B-10

20102676\_\_

581 second degree, punishable as provided in s. 775.082 or s.  
582 775.083.

583 (10) TRAINING.—

584 (a) Family centered practice is about respecting families  
585 and working in a collaborative relationship to support positive  
586 outcomes for children. It is necessary to recognize that the  
587 relationship of child welfare staff with the family is a primary  
588 tool for helping them to make positive changes to achieve their  
589 goals. Success in using family centered practice depends on  
590 child welfare staff refining their skills and their capacity to  
591 achieve successful interventions. Training shall be provided to  
592 all department, sheriff's office, and community-based care lead  
593 agency child welfare staff to provide the skills necessary to  
594 understand the underlying philosophy of the family centered  
595 practice model and put its basic tenets into practice.

596 (b) The department's training program for staff responsible  
597 for responding to reports accepted by the central abuse hotline  
598 must also ensure that child protective responders:

599 1. Know how to fully inform parents or legal custodians of  
600 their rights and options, including opportunities for audio or  
601 video recording of child protective responder interviews with  
602 parents or legal custodians or children.

603 2. Know how and when to use the injunction process under s.  
604 39.504 or s. 741.30 to remove a perpetrator of domestic violence  
605 from the home as an intervention to protect the child.

606 (c) To enhance the skills of individual staff and to  
607 improve the region's overall child protection system, the  
608 department's training program at the regional level must include  
609 periodic reviews of child protective investigation cases handled

10-00841B-10

20102676\_\_

610 within the region in order to identify weaknesses as well as  
611 examples of effective interventions which occurred at each point  
612 in the case.

613 (11) QUALITY ASSURANCE.—The department shall incorporate  
614 the monitoring of the outcome or result of family centered  
615 practice responses and child protective investigations into its  
616 quality assurance program.

617 Section 6. Subsections (1) and (19) of section 39.502,  
618 Florida Statutes, are amended to read:

619 39.502 Notice, process, and service.—

620 (1) Unless parental rights have been terminated, all  
621 parents must be notified of all proceedings or hearings  
622 involving the child. Notice in cases involving shelter hearings  
623 and hearings resulting from medical emergencies must be that  
624 most likely to result in actual notice to the parents. In all  
625 other dependency proceedings, notice must be provided in  
626 accordance with subsections (4)-(9), except if ~~when~~ a relative  
627 requests notification pursuant to s. 39.301(7)(i) ~~39.301(15)(b)~~,  
628 in which case notice shall be provided pursuant to subsection  
629 (19).

630 (19) In all proceedings and hearings under this chapter,  
631 the attorney for the department shall notify, orally or in  
632 writing, a relative requesting notification pursuant to s.  
633 39.301(7)(i) ~~39.301(15)(b)~~ of the date, time, and location of  
634 such proceedings and hearings, and notify the relative that he  
635 or she has the right to attend all subsequent proceedings and  
636 hearings, to submit reports to the court, and to speak to the  
637 court regarding the child, if the relative so desires. The court  
638 may ~~has the discretion to~~ release the attorney for the

10-00841B-10

20102676

639 department from notifying a relative ~~who requested notification~~  
640 ~~pursuant to s. 39.301(15)(b)~~ if the relative's involvement is  
641 determined to be impeding the dependency process or detrimental  
642 to the child's well-being.

643 Section 7. Section 39.504, Florida Statutes, is amended to  
644 read:

645 39.504 Injunction to prevent child abuse pending  
646 ~~disposition of petition~~; penalty.-

647 (1) At any time after a protective investigation has been  
648 initiated pursuant to part III of this chapter, the court, upon  
649 the request of the department, a law enforcement officer, the  
650 state attorney, or other responsible person, or upon its own  
651 motion, may, if there is reasonable cause, issue an injunction  
652 pursuant to this section to prevent any act of child abuse.  
653 Reasonable cause for the issuance of an injunction exists if  
654 there is evidence of child abuse or if there is a reasonable  
655 likelihood of such abuse occurring based upon a recent overt act  
656 or failure to act.

657 (2) The petitioner seeking the injunction shall file a  
658 verified petition, or a petition along with an affidavit,  
659 setting forth the specific actions by the alleged offender from  
660 which the child must be protected and all remedies sought. Upon  
661 filing the petition, the court shall set a hearing to be held at  
662 the earliest possible time. Pending the hearing, the court may  
663 issue a temporary ex parte injunction, with verified pleadings  
664 or affidavits as evidence. The temporary ex parte injunction is  
665 effective for up to 15 days, at which time the hearing must be  
666 held. The hearing may be held sooner if the alleged defender has  
667 received notice.

10-00841B-10

20102676

668       (3) Prior to the hearing, the alleged offender must be  
669 personally served with a copy of the petition, all other  
670 pleadings related to the petition, a notice of hearing, and, if  
671 one is entered, the temporary injunction. Following the hearing,  
672 the court may enter a final injunction. The court may grant a  
673 continuance of the hearing at any time for good cause shown by  
674 any party, including obtaining service of process. If a  
675 temporary ex parte injunction is entered, it shall be continued  
676 during the continuance.

677       ~~(2) Notice shall be provided to the parties as set forth in~~  
678 ~~the Florida Rules of Juvenile Procedure, unless the child is~~  
679 ~~reported to be in imminent danger, in which case the court may~~  
680 ~~issue an injunction immediately. A judge may issue an emergency~~  
681 ~~injunction pursuant to this section without notice if the court~~  
682 ~~is closed for the transaction of judicial business. If an~~  
683 ~~immediate injunction is issued, the court must hold a hearing on~~  
684 ~~the next day of judicial business to dissolve the injunction or~~  
685 ~~to continue or modify it in accordance with this section.~~

686       (4)~~(3)~~ If an injunction is issued under this section, the  
687 primary purpose of the injunction must be to protect and promote  
688 the best interests of the child, taking the preservation of the  
689 child's immediate family into consideration.

690       (a) The injunction applies ~~shall apply~~ to the alleged or  
691 actual offender in the ~~a~~ case of child abuse or acts of domestic  
692 violence. The conditions of the injunction shall be determined  
693 by the court, which ~~conditions~~ may include ordering the alleged  
694 or actual offender to:

- 695           1. Refrain from further abuse or acts of domestic violence.  
696           2. Participate in a specialized treatment program.



10-00841B-10

20102676\_\_

697 3. Limit contact or communication with the child victim,  
698 other children in the home, or any other child.

699 4. Refrain from contacting the child at home, school, work,  
700 or wherever the child may be found.

701 5. Have limited or supervised visitation with the child.

702 ~~6. Pay temporary support for the child or other family~~  
703 ~~members; the costs of medical, psychiatric, and psychological~~  
704 ~~treatment for the child incurred as a result of the offenses;~~  
705 ~~and similar costs for other family members.~~

706 ~~6.7.~~ Vacate the home where ~~in which~~ the child resides.

707 (b) Upon proper pleading, the court may award the following  
708 relief in the final injunction ~~If the intent of the injunction~~  
709 ~~is to protect the child from domestic violence, the conditions~~  
710 ~~may also include:~~

711 1. ~~Awarding the~~ Exclusive use and possession of the  
712 dwelling to the caregiver or exclusion of ~~excluding~~ the alleged  
713 or actual offender from the residence of the caregiver.

714 2. ~~Awarding temporary custody of the child to the~~  
715 ~~caregiver.~~

716 ~~2.3.~~ Establishing Temporary support for the child or other  
717 family members.

718 3. The costs of medical, psychiatric, and psychological  
719 treatment for the child incurred due to the abuse, and similar  
720 costs for other family members.

721  
722 This paragraph does not preclude the adult victim of domestic  
723 violence from seeking protection for himself or herself under s.  
724 741.30.

725 (c) The terms of the injunction shall remain in effect

10-00841B-10

20102676\_\_

726 until modified or dissolved by the court. The petitioner,  
727 respondent, or caregiver may move at any time to modify or  
728 dissolve the injunction. Notice of hearing on the motion to  
729 modify or dissolve the injunction must be provided to all  
730 parties, including the department. The injunction is valid and  
731 enforceable in all counties in the state.

732 (5)~~(4)~~ Service of process on the respondent shall be  
733 carried out pursuant to s. 741.30. The department shall deliver  
734 a copy of any injunction issued pursuant to this section to the  
735 protected party or to a parent, caregiver, or individual acting  
736 in the place of a parent who is not the respondent. Law  
737 enforcement officers may exercise their arrest powers as  
738 provided in s. 901.15(6) to enforce the terms of the injunction.

739 (6)~~(5)~~ Any person who fails to comply with an injunction  
740 issued pursuant to this section commits a misdemeanor of the  
741 first degree, punishable as provided in s. 775.082 or s.  
742 775.083.

743 (7) The person against whom an injunction is entered under  
744 this section does not automatically become a party to a  
745 subsequent dependency action concerning the same child unless he  
746 or she is a party as that term is defined in s. 39.01.

747 Section 8. Paragraph (r) of subsection (2) of section  
748 39.521, Florida Statutes, is amended to read:

749 39.521 Disposition hearings; powers of disposition.—

750 (2) The predisposition study must provide the court with  
751 the following documented information:

752 (r) If the child has been removed from the home and will be  
753 remaining with a relative, parent, or other adult approved by  
754 the court, a home study report concerning the proposed placement

10-00841B-10

20102676\_\_

755 must ~~shall~~ be included in the predisposition report. Before  
756 ~~Prior to~~ recommending to the court any out-of-home placement for  
757 a child other than placement in a licensed shelter or foster  
758 home, the department shall conduct a study of the home of the  
759 proposed legal custodians, which must include, at a minimum:

760 1. An interview with the proposed legal custodians to  
761 assess their ongoing commitment and ability to care for the  
762 child.

763 2. Records checks through the Florida Abuse Hotline  
764 Information System (FAHIS), and local and statewide criminal and  
765 juvenile records checks through the Department of Law  
766 Enforcement, on all household members 12 years of age or older.  
767 In addition, the fingerprints of any household members and any  
768 other persons made known to the department who are frequent  
769 visitors in the home and who are 18 years of age or older must  
770 be submitted to the Department of Law Enforcement for processing  
771 and forwarding to the Federal Bureau of Investigation for state  
772 and national criminal history information. Out-of-state criminal  
773 records checks must be initiated for any individual ~~designated~~  
774 ~~above~~ who has resided in a state other than Florida if provided  
775 that state's laws allow the release of these records. The out-  
776 of-state criminal records must be filed with the court within 5  
777 days after receipt by the department or its agent.

778 3. An assessment of the physical environment of the home.

779 4. A determination of the financial security of the  
780 proposed legal custodians.

781 5. A determination of suitable child care arrangements if  
782 the proposed legal custodians are employed outside of the home.

783 6. Documentation of counseling and information provided to

10-00841B-10

20102676\_\_

784 the proposed legal custodians regarding the dependency process  
785 and possible outcomes.

786 7. Documentation that information regarding support  
787 services available in the community has been provided to the  
788 proposed legal custodians.

789

790 The department may ~~shall~~ not place the child or continue the  
791 placement of the child in a home under shelter or  
792 postdisposition placement if the results of the home study are  
793 unfavorable, unless the court finds that the ~~this~~ placement is  
794 in the child's best interest.

795

796 Any other relevant and material evidence, including other  
797 written or oral reports, may be received by the court in its  
798 effort to determine the action to be taken with regard to the  
799 child and may be relied upon to the extent of its probative  
800 value, even though not competent in an adjudicatory hearing.  
801 Except as otherwise specifically provided, nothing in this  
802 section prohibits the publication of proceedings in a hearing.

803 Section 9. Paragraph (d) of subsection (2) and subsection  
804 (4) of section 39.6011, Florida Statutes, are amended to read:

805 39.6011 Case plan development.—

806 (2) The case plan must be written simply and clearly in  
807 English and, if English is not the principal language of the  
808 child's parent, to the extent possible in the parent's principal  
809 language. Each case plan must contain:

810 (d) The date the compliance period expires. The case plan  
811 must be limited to as short a period as possible for  
812 accomplishing its provisions. The plan's compliance period

10-00841B-10

20102676

813 expires no later than 9 ~~12~~ months after the date the child was  
 814 initially removed from the home, the child was adjudicated  
 815 dependent, or the date the case plan was accepted by the court,  
 816 whichever occurs first ~~sooner~~.

817 (4) The case plan must describe:

818 (a) The role of the foster parents or legal custodians when  
 819 developing the services that are to be provided to the child,  
 820 foster parents, or legal custodians;

821 (b) The responsibility of the case manager to forward a  
 822 relative's request to receive notification of all proceedings  
 823 and hearings submitted pursuant to s. 39.301(7)(i) ~~39.301(15)(b)~~  
 824 to the attorney for the department;

825 (c) The minimum number of face-to-face meetings to be held  
 826 each month between the parents and the department's family  
 827 services counselors to review the progress of the plan, ~~to~~  
 828 eliminate barriers to progress, and ~~to~~ resolve conflicts or  
 829 disagreements; and

830 (d) The parent's responsibility for financial support of  
 831 the child, including, but not limited to, health insurance and  
 832 child support. The case plan must list the costs associated with  
 833 any services or treatment that the parent and child are expected  
 834 to receive which are the financial responsibility of the parent.  
 835 The determination of child support and other financial support  
 836 shall be made independently of a ~~any~~ determination of indigency  
 837 under s. 39.013.

838 Section 10. Subsection (1) of section 39.621, Florida  
 839 Statutes, is amended to read:

840 39.621 Permanency determination by the court.—

841 (1) Time is of the essence for permanency of children in

10-00841B-10

20102676\_\_

842 the dependency system. A permanency hearing must be held no  
843 later than 9 ~~12~~ months after the date the child was removed from  
844 the home or within ~~no later than~~ 30 days after a court  
845 determines that reasonable efforts to return a child to either  
846 parent are not required, whichever occurs first. The purpose of  
847 the permanency hearing is to determine when the child will  
848 achieve the permanency goal or whether modifying the current  
849 goal is in the best interest of the child. A permanency hearing  
850 must be held at least every 9 ~~12~~ months for any child who  
851 continues to be supervised by ~~receive supervision from~~ the  
852 department or awaits adoption.

853 Section 11. Paragraph (b) of subsection (3) and paragraph  
854 (e) of subsection (10) of section 39.701, Florida Statutes, are  
855 amended to read:

856 39.701 Judicial review.—

857 (3)

858 (b) If the citizen review panel recommends extending the  
859 goal of reunification for any case plan beyond 9 ~~12~~ months from  
860 the date the child was removed from the home, the child was  
861 adjudicated dependent, or the case plan was adopted, whichever  
862 date came first, the court must schedule a judicial review  
863 hearing to be conducted by the court within 30 days after  
864 receiving the recommendation from the citizen review panel.

865 (10)

866 (e) Within ~~No later than~~ 6 months after the date that the  
867 child was placed in shelter care, the court shall conduct a  
868 judicial review hearing to review the child's permanency goal as  
869 identified in the case plan. At the hearing, the court shall  
870 make findings regarding the likelihood of the child's

10-00841B-10

20102676\_\_

871 reunification with the parent or legal custodian within 9 ~~12~~  
872 months after the removal of the child from the home. If, ~~at this~~  
873 ~~hearing,~~ the court makes a written finding that it is not likely  
874 that the child will be reunified with the parent or legal  
875 custodian within 9 ~~12~~ months after the child was removed from  
876 the home, the department must file with the court, and serve on  
877 all parties, a motion to amend the case plan under s. 39.6013  
878 and declare that it will use concurrent planning for the case  
879 plan. The department must file the motion within ~~no later than~~  
880 10 business days after receiving the written finding of the  
881 court. The department must attach the proposed amended case plan  
882 to the motion. If concurrent planning is already being used, the  
883 case plan must document the efforts the department is taking to  
884 complete the concurrent goal.

885 Section 12. Subsection (1) of section 39.8055, Florida  
886 Statutes, is amended to read:

887 39.8055 Requirement to file a petition to terminate  
888 parental rights; exceptions.-

889 (1) The department shall file a petition to terminate  
890 parental rights within 60 days after any of the following if:

891 (a) The ~~At the time of the 12-month judicial review~~  
892 ~~hearing,~~ a child is not returned to the physical custody of the  
893 parents 9 months after the child was sheltered or adjudicated  
894 dependent, whichever occurs first;

895 (b) A petition for termination of parental rights has not  
896 otherwise been filed, and the child has been in out-of-home care  
897 under the responsibility of the state for 12 of the most recent  
898 22 months, calculated on a cumulative basis, but not including  
899 any trial home visits or time during which the child was a

10-00841B-10

20102676\_\_

900 runaway;

901 (c) A parent has been convicted of the murder,  
902 manslaughter, aiding or abetting the murder, or conspiracy or  
903 solicitation to murder the other parent or another child of the  
904 parent, or a felony battery that resulted in serious bodily  
905 injury to the child or to another child of the parent; or

906 (d) A court determines that reasonable efforts to reunify  
907 the child and parent are not required.

908 Section 13. Subsection (2) of section 39.806, Florida  
909 Statutes, is amended to read:

910 39.806 Grounds for termination of parental rights.—

911 (2) Reasonable efforts to preserve and reunify families are  
912 not required if a court of competent jurisdiction has determined  
913 that any of the events described in paragraphs (1)(f)-(l)  
914 ~~(1)(e)-(l)~~ have occurred.

915 Section 14. Section 39.823, Florida Statutes, is amended to  
916 read:

917 39.823 Guardian advocates for drug dependent newborns.—The  
918 Legislature finds that increasing numbers of drug dependent  
919 children are born in this state. Because of the parents'  
920 continued dependence upon drugs, the parents may temporarily  
921 leave their child with a relative or other adult ~~or may have~~  
922 ~~agreed to voluntary family services under s. 39.301(15)~~. The  
923 relative or other adult may be left with a child who is likely  
924 to require medical treatment but for whom they are unable to  
925 obtain medical treatment. The purpose of this section is to  
926 provide an expeditious method for such relatives or other  
927 responsible adults to obtain a court order that ~~which~~ allows  
928 them to provide consent for medical treatment and otherwise



10-00841B-10

20102676

929 advocate for the needs of the child and to provide court review  
930 of such authorization.

931 Section 15. Subsection (8) of section 901.15, Florida  
932 Statutes, is amended to read:

933 901.15 When arrest by officer without warrant is lawful.—A  
934 law enforcement officer may arrest a person without a warrant  
935 when:

936 (8) There is probable cause to believe that the person has  
937 violated an injunction entered pursuant to s. 39.504 to prevent  
938 child abuse; committed child abuse, as defined in s. 827.03;~~T~~ or  
939 ~~has~~ violated s. 787.025, relating to luring or enticing a child  
940 for unlawful purposes. The decision to arrest does not require  
941 consent of the victim or consideration of the relationship of  
942 the parties. It is the public policy of this state to protect  
943 abused children by strongly encouraging the arrest and  
944 prosecution of persons who commit child abuse. A law enforcement  
945 officer who acts in good faith and exercises due care in making  
946 an arrest under this subsection is immune from civil liability  
947 that otherwise might result by reason of his or her action.

948 Section 16. Child protection response system evaluation.—  
949 The Office of Program Policy Analysis and Government  
950 Accountability is directed to evaluate the effectiveness of the  
951 child protective response system as established under this act,  
952 including how the Department of Children and Family Services and  
953 lead agencies conduct family centered practice and child  
954 protective responses.

955 (1) The evaluation must include, but is not limited to, the  
956 following information, which the department and community-based  
957 care lead agencies must collect, maintain, and provide:

10-00841B-10

20102676\_\_

- 958       (a) The number of families receiving services.
- 959       (b) The number of children placed in emergency shelters,  
960 foster care, group homes, or other facilities outside their  
961 homes and families.
- 962       (c) The average cost of the services provided to families  
963 receiving services.
- 964       (2) The evaluation shall also include an overall assessment  
965 of the progress of the response system, including  
966 recommendations for improvements and the effect of the family  
967 centered practice response system in reducing the number of  
968 children placed outside the home and reducing the number of  
969 child protective investigations.
- 970       (3) The Office of Program Policy Analysis and Government  
971 Accountability shall provide three status reports to the  
972 appropriate substantive committees of the Senate and the House  
973 of Representatives on the results of community-based care lead  
974 agency practices in implementing the family centered practice  
975 response system. The reports shall be submitted annually for 3  
976 years beginning January 1, 2011.
- 977       Section 17. Child Welfare Professionals Taskforce.—The  
978 Secretary of Children and Family Services shall establish the  
979 Child Welfare Professionals Taskforce for the purpose of  
980 reviewing and making recommendations relating to the education  
981 and qualifications of staff employed by the department, the  
982 sheriff's offices contracting to provide child protective  
983 responses, and the community-based care lead agencies and their  
984 subcontractors.
- 985       (1) At a minimum, the scope of work for the taskforce  
986 includes:

10-00841B-10

20102676

987 (a) An analysis of the total cost benefit of having child  
988 welfare staff hold a bachelor of social work or master of social  
989 work degree;

990 (b) An analysis of the risk reduction to children and  
991 families by having all child welfare staff hold a bachelor of  
992 social work or master of social work degree;

993 (c) An examination of ways to increase the amount of  
994 federal Title IV-E child welfare program funding available to  
995 the state;

996 (d) An examination of hiring practices in other states  
997 which require all child welfare staff to hold social work  
998 degrees, particularly those states that have privatized the  
999 provision of child welfare services;

1000 (e) Incentives necessary to hire and retain employees who  
1001 have a bachelor of social work or master of social work degree;  
1002 and

1003 (f) Incentives to enable current staff to obtain a bachelor  
1004 of social work or master of social work degree while continuing  
1005 employment.

1006 (2) Members of the taskforce shall be appointed by the  
1007 secretary. At a minimum, the membership must include  
1008 representatives from the department's headquarters and circuit  
1009 offices, community-based care lead agencies, the sheriff's  
1010 offices contracted to provide child protective responses, state  
1011 schools that are members of the Florida Association of Deans and  
1012 Directors of Schools of Social Work, faculty members from those  
1013 schools whose duties include working with Title IV-E child  
1014 welfare program stipend students and teaching specialized child  
1015 welfare courses, and at least one recent bachelor of social work

10-00841B-10

20102676\_\_

1016 or master of social work graduate from a Title IV-E project that  
1017 received a scholarship and is now employed with the department  
1018 or a community-based care lead agency.

1019 (3) The department shall provide administrative support to  
1020 the advisory council to accomplish its assigned tasks. The  
1021 advisory council shall have access to all appropriate data from  
1022 the department, each community-based care lead agency, and other  
1023 relevant agencies in order to accomplish the tasks set forth in  
1024 this section. The data collected may not include any information  
1025 that would identify a specific child or young adult.

1026 (4) The taskforce shall report annually by December 31 to  
1027 the appropriate substantive committees of the Senate and the  
1028 House of Representatives on the status of the council's work.

1029 (5) The taskforce expires June 30, 2013.

1030 Section 18. Child Safety Assessment Workgroup.—The  
1031 Secretary of Children and Family Services shall establish the  
1032 Child Safety Assessment Workgroup for the purpose of developing  
1033 a safety assessment process that will allow the department to  
1034 fully implement a dual track response system. The workgroup  
1035 shall rely on the experience of other states that have  
1036 successfully implemented a similar response system as well as  
1037 the expertise of child welfare professionals not employed by the  
1038 department or a community-based care lead agency. The workgroup  
1039 shall report its findings and recommendations for a restructured  
1040 safety assessment process for child protective responses to the  
1041 appropriate substantive committees of the Senate and House of  
1042 Representatives by December 31, 2010.

1043 Section 19. This act shall take effect July 1, 2010.