

By the Committees on Judiciary; and Children, Families, and Elder Affairs; and Senator Lynn

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1                   A bill to be entitled  
2           An act relating to child protection; amending s.  
3           39.01, F.S.; revising the definitions of the term  
4           "abandoned" or "abandonment," "institutional child  
5           abuse or neglect," and "abandons the child within the  
6           context of harm"; amending s. 39.013, F.S.; specifying  
7           when jurisdiction attaches for a petition for an  
8           injunction to prevent child abuse issued pursuant to  
9           specified provisions; amending s. 39.0138, F.S.;  
10          revising provisions relating to criminal history  
11          records check on persons being considered for  
12          placement of a child; requiring a records check  
13          through the State Automated Child Welfare Information  
14          System; providing for an out-of-state criminal history  
15          records check of certain persons who have lived out of  
16          state if such records may be obtained; amending s.  
17          39.201, F.S.; providing procedures for calls from a  
18          parent or legal custodian seeking assistance for  
19          himself or herself which do not meet the criteria for  
20          being a report of child abuse, abandonment, or  
21          neglect, but show a potential future risk of harm to a  
22          child and requiring a referral if a need for community  
23          services exists; specifying that the central abuse  
24          hotline is the first step in the safety assessment and  
25          investigation process; amending s. 39.205, F.S.;  
26          permitting discontinuance of an investigation of child  
27          abuse, abandonment, or neglect during the course of  
28          the investigation if it is determined that the report  
29          was false; amending s. 39.301, F.S.; substituting

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30 references to a standard electronic child welfare case  
31 for a master file; revising requirements for such a  
32 file; revising requirements for informing the subject  
33 of an investigation; deleting provisions relating to a  
34 preliminary determination as to whether an  
35 investigation report is complete; revising  
36 requirements for child protective investigation  
37 activities to be performed to determine child safety;  
38 specifying uses for certain criminal justice  
39 information accesses by child protection  
40 investigators; requiring documentation of the present  
41 and impending dangers to each child through use of a  
42 standardized safety assessment; revising provisions  
43 relating to required protective, treatment, and  
44 ameliorative services; revising requirements for the  
45 Department of Children and Family Service's training  
46 program for staff responsible for responding to  
47 reports accepted by the central abuse hotline;  
48 requiring the department's training program at the  
49 regional and district levels to include results of  
50 qualitative reviews of child protective investigation  
51 cases handled within the region or district; revising  
52 requirements for the department's quality assurance  
53 program; amending s. 39.302, F.S.; requiring that a  
54 protective investigation must include an interview  
55 with the child's parent or legal guardian; amending s.  
56 39.307, F.S.; requiring the department, contracted  
57 sheriff's office providing protective investigation  
58 services, or contracted case management personnel

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59 responsible for providing services to adhere to  
60 certain procedures relating to reports of child-on-  
61 child sexual abuse; deleting a requirement that an  
62 assessment of service and treatment needs to be  
63 completed within a specified period; amending s.  
64 39.504, F.S.; revising provisions relating to the  
65 process for seeking a child protective injunction;  
66 providing for temporary ex parte injunctions;  
67 providing requirements for service on an alleged  
68 offender; revising provisions relating to the contents  
69 of an injunction; providing for certain relief;  
70 providing requirements for notice of a hearing on a  
71 motion to modify or dissolve an injunction; providing  
72 that a person against whom an injunction is entered  
73 does not automatically become a party to a subsequent  
74 dependency action concerning the same child unless he  
75 or she was a party to the action in which the  
76 injunction was entered; amending s. 39.521, F.S.;  
77 requiring a home study report if a child has been  
78 removed from the home and will be remaining with a  
79 parent; substituting references to the State Automated  
80 Child Welfare Information System for the Florida Abuse  
81 Hotline Information System applicable to records  
82 checks; authorizing submission of fingerprints of  
83 certain household members; authorizing requests for  
84 national criminal history checks and fingerprinting of  
85 any visitor to the home known to the department;  
86 amending s. 39.6011, F.S.; providing additional  
87 options for the court with respect to case plans;

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88 providing for expiration of a child's case plan no  
89 later than 12 months after the date the child was  
90 adjudicated dependent; conforming a cross-reference to  
91 changes made by the act; amending s. 39.621, F.S.;  
92 revising terminology relating to permanency  
93 determinations; amending s. 39.701, F.S.; providing  
94 that a court must schedule a judicial review hearing  
95 if the citizen review panel recommends extending the  
96 goal of reunification for any case plan beyond 12  
97 months from the date the child was adjudicated  
98 dependent, unless specified other events occurred  
99 earlier; conforming a cross-reference to changes made  
100 by the act; amending s. 39.8055, F.S.; requiring the  
101 department to file a petition to terminate parental  
102 rights within a certain number of days after the  
103 completion of a specified period after the child was  
104 sheltered or adjudicated dependent, whichever occurs  
105 first; amending s. 39.806, F.S.; providing additional  
106 criteria for the court to consider when deciding  
107 whether to terminate the parental rights of a parent  
108 or legal guardian because the parent or legal guardian  
109 is incarcerated; increasing the number of months of  
110 failure of the parent or parents to substantially  
111 comply with a child's case plan in certain  
112 circumstances that constitutes evidence of continuing  
113 abuse, neglect, or abandonment and grounds for  
114 termination of parental rights; revising a cross-  
115 reference; clarifying applicability of certain  
116 amendments made by the act; amending ss. 39.502,

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117 39.823, and 39.828, F.S.; conforming cross-references  
118 to changes made by the act; amending s. 402.56, F.S.;  
119 directing the Children and Youth Cabinet to meet at  
120 least four times per year rather than six times per  
121 year; providing an effective date.

122

123 Be It Enacted by the Legislature of the State of Florida:

124

125 Section 1. Subsection (1), paragraph (e) of subsection  
126 (32), and subsection (33) of section 39.01, Florida Statutes,  
127 are amended to read:

128 39.01 Definitions.—When used in this chapter, unless the  
129 context otherwise requires:

130 (1) "Abandoned" or "abandonment" means a situation in which  
131 the parent or legal custodian of a child or, in the absence of a  
132 parent or legal custodian, the caregiver, while being able, has  
133 made ~~makes~~ no significant contribution to the child's care and  
134 maintenance or provision for the child's support and has failed  
135 to establish or maintain a substantial and positive relationship  
136 with the child, or both. For purposes of this subsection,  
137 "establish or maintain a substantial and positive relationship"  
138 includes, but is not limited to, frequent and regular contact  
139 with the child through frequent and regular visitation or  
140 frequent and regular communication to or with the child, and the  
141 exercise of parental rights and responsibilities. Marginal  
142 efforts and incidental or token visits or communications are not  
143 sufficient to establish or maintain a substantial and positive  
144 relationship with a child. The term does not include a  
145 surrendered newborn infant as described in s. 383.50, a "child

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146 in need of services" as defined in chapter 984, or a "family in  
147 need of services" as defined in chapter 984. The incarceration,  
148 repeated incarceration, or extended incarceration of a parent,  
149 legal custodian, or caregiver responsible for a child's welfare  
150 may support a finding of abandonment.

151 (32) "Harm" to a child's health or welfare can occur when  
152 any person:

153 (e) Abandons the child. Within the context of the  
154 definition of "harm," the term "abandoned the child" or  
155 "abandonment of the child" means a situation in which the parent  
156 or legal custodian of a child or, in the absence of a parent or  
157 legal custodian, the caregiver, while being able, has made ~~makes~~  
158 no significant contribution to the child's care and maintenance  
159 or provision for the child's support and has failed to establish  
160 or maintain a substantial and positive relationship with the  
161 child, or both. For purposes of this paragraph, "establish or  
162 maintain a substantial and positive relationship" includes, but  
163 is not limited to, frequent and regular contact with the child  
164 through frequent and regular visitation or frequent and regular  
165 communication to or with the child, and the exercise of parental  
166 rights and responsibilities. Marginal efforts and incidental or  
167 token visits or communications are not sufficient to establish  
168 or maintain a substantial and positive relationship with a  
169 child. The term "abandoned" does not include a surrendered  
170 newborn infant as described in s. 383.50, a child in need of  
171 services as defined in chapter 984, or a family in need of  
172 services as defined in chapter 984. The incarceration, repeated  
173 incarceration, or extended incarceration of a parent, legal  
174 custodian, or caregiver responsible for a child's welfare may

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175 support a finding of abandonment.

176 (33) "Institutional child abuse or neglect" means  
177 situations of known or suspected child abuse or neglect in which  
178 the person allegedly perpetrating the child abuse or neglect is  
179 an employee of a private school, public or private day care  
180 center, residential home, institution, facility, or agency or  
181 any other person at such institution responsible for the child's  
182 care as defined in subsection (47).

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

185 39.013 Procedures and jurisdiction; right to counsel.—

186 (2) The circuit court has exclusive original jurisdiction  
187 of all proceedings under this chapter, of a child voluntarily  
188 placed with a licensed child-caring agency, a licensed child-  
189 placing agency, or the department, and of the adoption of  
190 children whose parental rights have been terminated under this  
191 chapter. Jurisdiction attaches when the initial shelter  
192 petition, dependency petition, or termination of parental rights  
193 petition, or a petition for an injunction to prevent child abuse  
194 issued pursuant to s. 39.504, is filed or when a child is taken  
195 into the custody of the department. The circuit court may assume  
196 jurisdiction over any such proceeding regardless of whether the  
197 child was in the physical custody of both parents, was in the  
198 sole legal or physical custody of only one parent, caregiver, or  
199 some other person, or was not in the physical or legal custody  
200 of any ~~ne~~ person when the event or condition occurred that  
201 brought the child to the attention of the court. When the court  
202 obtains jurisdiction of any child who has been found to be  
203 dependent, the court shall retain jurisdiction, unless

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204 relinquished by its order, until the child reaches 18 years of  
205 age. However, if a youth petitions the court at any time before  
206 his or her 19th birthday requesting the court's continued  
207 jurisdiction, the juvenile court may retain jurisdiction under  
208 this chapter for a period not to exceed 1 year following the  
209 youth's 18th birthday for the purpose of determining whether  
210 appropriate aftercare support, Road-to-Independence Program,  
211 transitional support, mental health, and developmental  
212 disability services, to the extent otherwise authorized by law,  
213 have been provided to the formerly dependent child who was in  
214 the legal custody of the department immediately before his or  
215 her 18th birthday. If a petition for special immigrant juvenile  
216 status and an application for adjustment of status have been  
217 filed on behalf of a foster child and the petition and  
218 application have not been granted by the time the child reaches  
219 18 years of age, the court may retain jurisdiction over the  
220 dependency case solely for the purpose of allowing the continued  
221 consideration of the petition and application by federal  
222 authorities. Review hearings for the child shall be set solely  
223 for the purpose of determining the status of the petition and  
224 application. The court's jurisdiction terminates upon the final  
225 decision of the federal authorities. Retention of jurisdiction  
226 in this instance does not affect the services available to a  
227 young adult under s. 409.1451. The court may not retain  
228 jurisdiction of the case after the immigrant child's 22nd  
229 birthday.

230 Section 3. Section 39.0138, Florida Statutes, is amended to  
231 read:

232 39.0138 Criminal history and other records checks ~~check~~;



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233 limit on placement of a child.—

234 (1) The department shall conduct a records check through  
235 the State Automated Child Welfare Information System (SACWIS)  
236 and a local and statewide criminal history records check on all  
237 persons, including parents, being considered by the department  
238 for placement of a child ~~subject to a placement decision~~ under  
239 this chapter, including all nonrelative placement decisions, and  
240 all members of the household, 12 years of age and older, of the  
241 person being considered, ~~and frequent visitors to the household.~~  
242 For purposes of this section, a criminal history records check  
243 may include, but is not limited to, submission of fingerprints  
244 to the Department of Law Enforcement for processing and  
245 forwarding to the Federal Bureau of Investigation for state and  
246 national criminal history information, and local criminal  
247 records checks through local law enforcement agencies of all  
248 household members 18 years of age and older and other visitors  
249 to the home. An out-of-state criminal history records check must  
250 be initiated for any person 18 years of age or older who resided  
251 in another state if that state allows the release of such  
252 records. A ~~criminal history records check must also include a~~  
253 ~~search of the department's automated abuse information system.~~  
254 The department shall establish by rule standards for evaluating  
255 any information contained in the automated system relating to a  
256 person who must be screened for purposes of making a placement  
257 decision.

258 (2) The department may not place a child with a person  
259 other than a parent if the criminal history records check  
260 reveals that the person has been convicted of any felony that  
261 falls within any of the following categories:

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- 262 (a) Child abuse, abandonment, or neglect;  
263 (b) Domestic violence;  
264 (c) Child pornography or other felony in which a child was  
265 a victim of the offense; or  
266 (d) Homicide, sexual battery, or other felony involving  
267 violence, other than felony assault or felony battery when an  
268 adult was the victim of the assault or battery.
- 269 (3) The department may not place a child with a person  
270 other than a parent if the criminal history records check  
271 reveals that the person has, within the previous 5 years, been  
272 convicted of a felony that falls within any of the following  
273 categories:
- 274 (a) Assault;  
275 (b) Battery; or  
276 (c) A drug-related offense.
- 277 (4) The department may place a child in a home that  
278 otherwise meets placement requirements if a name check of state  
279 and local criminal history records systems does not disqualify  
280 the applicant and if the department submits fingerprints to the  
281 Department of Law Enforcement for forwarding to the Federal  
282 Bureau of Investigation and is awaiting the results of the state  
283 and national criminal history records check.
- 284 (5) Persons with whom placement of a child is being  
285 considered or approved must disclose to the department any prior  
286 or pending local, state, or national criminal proceedings in  
287 which they are or have been involved.
- 288 (6) The department may examine the results of any criminal  
289 history records check of any person, including a parent, with  
290 whom placement of a child is being considered under this

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291 section. The complete criminal history records check must be  
292 considered when determining whether placement with the person  
293 will jeopardize the safety of the child being placed.

294 (7) (a) The court may review a decision of the department to  
295 grant or deny the placement of a child based upon information  
296 from the criminal history records check. The review may be upon  
297 the motion of any party, the request of any person who has been  
298 denied a placement by the department, or on the court's own  
299 motion. The court shall prepare written findings to support its  
300 decision in this matter.

301 (b) A person who is seeking placement of a child but is  
302 denied the placement because of the results of a criminal  
303 history records check has the burden of setting forth sufficient  
304 evidence of rehabilitation to show that the person will not  
305 present a danger to the child if the placement of the child is  
306 allowed. Evidence of rehabilitation may include, but is not  
307 limited to, the circumstances surrounding the incident providing  
308 the basis for denying the application, the time period that has  
309 elapsed since the incident, the nature of the harm caused to the  
310 victim, whether the victim was a child, the history of the  
311 person since the incident, whether the person has complied with  
312 any requirement to pay restitution, and any other evidence or  
313 circumstances indicating that the person will not present a  
314 danger to the child if the placement of the child is allowed.

315 Section 4. Paragraph (a) of subsection (2) and subsection  
316 (4) of section 39.201, Florida Statutes, are amended to read:

317 39.201 Mandatory reports of child abuse, abandonment, or  
318 neglect; mandatory reports of death; central abuse hotline.—

319 (2) (a) Each report of known or suspected child abuse,

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320 abandonment, or neglect by a parent, legal custodian, caregiver,  
321 or other person responsible for the child's welfare as defined  
322 in this chapter, except those solely under s. 827.04(3), and  
323 each report that a child is in need of supervision and care and  
324 has no parent, legal custodian, or responsible adult relative  
325 immediately known and available to provide supervision and care  
326 shall be made immediately to the department's central abuse  
327 hotline. Such reports may be made on the single statewide toll-  
328 free telephone number or via fax or web-based report. Personnel  
329 at the department's central abuse hotline shall determine if the  
330 report received meets the statutory definition of child abuse,  
331 abandonment, or neglect. Any report meeting one of these  
332 definitions shall be accepted for the protective investigation  
333 pursuant to part III of this chapter. Any call received from a  
334 parent or legal custodian seeking assistance for himself or  
335 herself which does not meet the criteria for being a report of  
336 child abuse, abandonment, or neglect may be accepted by the  
337 hotline for response to ameliorate a potential future risk of  
338 harm to a child. If it is determined by a child welfare  
339 professional that a need for community services exists, the  
340 department shall refer the parent or legal custodian for  
341 appropriate voluntary community services.

342 (4) The department shall operate ~~establish~~ and maintain a  
343 central abuse hotline to receive all reports made pursuant to  
344 this section in writing, via fax, via web-based reporting, or  
345 through a single statewide toll-free telephone number, which any  
346 person may use to report known or suspected child abuse,  
347 abandonment, or neglect at any hour of the day or night, any day  
348 of the week. The central abuse hotline is the first step in the

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349 safety assessment and investigation process. The central abuse  
350 hotline shall be operated in such a manner as to enable the  
351 department to:

352 (a) Immediately identify and locate prior reports or cases  
353 of child abuse, abandonment, or neglect through utilization of  
354 the department's automated tracking system.

355 (b) Monitor and evaluate the effectiveness of the  
356 department's program for reporting and investigating suspected  
357 abuse, abandonment, or neglect of children through the  
358 development and analysis of statistical and other information.

359 (c) Track critical steps in the investigative process to  
360 ensure compliance with all requirements for any report of abuse,  
361 abandonment, or neglect.

362 (d) Maintain and produce aggregate statistical reports  
363 monitoring patterns of child abuse, child abandonment, and child  
364 neglect. The department shall collect and analyze child-on-child  
365 sexual abuse reports and include the information in aggregate  
366 statistical reports.

367 (e) Serve as a resource for the evaluation, management, and  
368 planning of preventive and remedial services for children who  
369 have been subject to abuse, abandonment, or neglect.

370 (f) Initiate and enter into agreements with other states  
371 for the purpose of gathering and sharing information contained  
372 in reports on child maltreatment to further enhance programs for  
373 the protection of children.

374 Section 5. Subsections (3) and (5) of section 39.205,  
375 Florida Statutes, are amended to read:

376 39.205 Penalties relating to reporting of child abuse,  
377 abandonment, or neglect.—

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378 (3) A person who knowingly and willfully makes public or  
379 discloses any confidential information contained in the central  
380 abuse hotline or in the records of any child abuse, abandonment,  
381 or neglect case, except as provided in this chapter, commits ~~is~~  
382 ~~guilty of~~ a misdemeanor of the second degree, punishable as  
383 provided in s. 775.082 or s. 775.083.

384 (5) If the department or its authorized agent has  
385 determined during the course of ~~after~~ its investigation that a  
386 report is a false report, the department may discontinue all  
387 investigative activities and shall, with the consent of the  
388 alleged perpetrator, refer the report to the local law  
389 enforcement agency having jurisdiction for an investigation to  
390 determine whether sufficient evidence exists to refer the case  
391 for prosecution for filing a false report as defined in s.  
392 39.01. During the pendency of the investigation, the department  
393 must notify the local law enforcement agency of, and the local  
394 law enforcement agency must respond to, all subsequent reports  
395 concerning children in that same family in accordance with s.  
396 39.301. If the law enforcement agency believes that there are  
397 indicators of abuse, abandonment, or neglect, it must  
398 immediately notify the department, which must ensure the safety  
399 of the children. If the law enforcement agency finds sufficient  
400 evidence for prosecution for filing a false report, it must  
401 refer the case to the appropriate state attorney for  
402 prosecution.

403 Section 6. Section 39.301, Florida Statutes, is amended to  
404 read:

405 39.301 Initiation of protective investigations.—

406 (1) Upon receiving a report of known or suspected child

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407 abuse, abandonment, or neglect, or that a child is in need of  
408 supervision and care and has no parent, legal custodian, or  
409 responsible adult relative immediately known and available to  
410 provide supervision and care, the central abuse hotline shall  
411 determine if the report requires an immediate onsite protective  
412 investigation. For reports requiring an immediate onsite  
413 protective investigation, the central abuse hotline shall  
414 immediately notify the department's designated district staff  
415 responsible for protective investigations to ensure that an  
416 onsite investigation is promptly initiated. For reports not  
417 requiring an immediate onsite protective investigation, the  
418 central abuse hotline shall notify the department's designated  
419 district staff responsible for protective investigations in  
420 sufficient time to allow for an investigation. At the time of  
421 notification, the central abuse hotline shall also provide  
422 information to district staff on any previous report concerning  
423 a subject of the present report or any pertinent information  
424 relative to the present report or any noted earlier reports.

425 (2) (a) The department shall immediately forward allegations  
426 of criminal conduct to the municipal or county law enforcement  
427 agency of the municipality or county in which the alleged  
428 conduct has occurred.

429 (b) As used in this subsection, the term "criminal conduct"  
430 means:

431 1. A child is known or suspected to be the victim of child  
432 abuse, as defined in s. 827.03, or of neglect of a child, as  
433 defined in s. 827.03.

434 2. A child is known or suspected to have died as a result  
435 of abuse or neglect.

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436 3. A child is known or suspected to be the victim of  
437 aggravated child abuse, as defined in s. 827.03.

438 4. A child is known or suspected to be the victim of sexual  
439 battery, as defined in s. 827.071, or of sexual abuse, as  
440 defined in s. 39.01.

441 5. A child is known or suspected to be the victim of  
442 institutional child abuse or neglect, as defined in s. 39.01,  
443 and as provided for in s. 39.302(1).

444 6. A child is known or suspected to be a victim of human  
445 trafficking, as provided in s. 787.06.

446 (c) Upon receiving a written report of an allegation of  
447 criminal conduct from the department, the law enforcement agency  
448 shall review the information in the written report to determine  
449 whether a criminal investigation is warranted. If the law  
450 enforcement agency accepts the case for criminal investigation,  
451 it shall coordinate its investigative activities with the  
452 department, whenever feasible. If the law enforcement agency  
453 does not accept the case for criminal investigation, the agency  
454 shall notify the department in writing.

455 (d) The local law enforcement agreement required in s.  
456 39.306 shall describe the specific local protocols for  
457 implementing this section.

458 (3) The department shall maintain a single, standard  
459 electronic child welfare case ~~master~~ file for each child whose  
460 report is accepted by the central abuse hotline for  
461 investigation. Such file must contain information concerning all  
462 reports received by the abuse hotline concerning that child and  
463 all services received by that child and family. The file must be  
464 made available to any department staff, agent of the department,



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465 or contract provider given responsibility for conducting a  
466 protective investigation.

467 (4) To the extent practical, all protective investigations  
468 involving a child shall be conducted or the work supervised by a  
469 single individual in order for there to be broad knowledge and  
470 understanding of the child's history. When a new investigator is  
471 assigned to investigate a second and subsequent report involving  
472 a child, a multidisciplinary staffing shall be conducted which  
473 includes new and prior investigators, their supervisors, and  
474 appropriate private providers in order to ensure that, to the  
475 extent possible, there is coordination among all parties. The  
476 department shall establish an internal operating procedure that  
477 ensures that all required investigatory activities, including a  
478 review of the child's complete investigative and protective  
479 services history, are completed by the investigator, reviewed by  
480 the supervisor in a timely manner, and signed and dated by both  
481 the investigator and the supervisor.

482 (5) (a) Upon commencing an investigation under this part,  
483 the child protective investigator shall inform any subject of  
484 the investigation of the following:

485 1. The names of the investigators and identifying  
486 credentials from the department.

487 2. The purpose of the investigation.

488 3. The right to obtain his or her own attorney and ways  
489 that the information provided by the subject may be used.

490 4. The possible outcomes and services of the department's  
491 response ~~shall be explained to the parent or legal custodian.~~

492 5. The right of the parent or legal custodian to be engaged  
493 ~~involved~~ to the fullest extent possible in determining the

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494 nature of the allegation and the nature of any identified  
495 problem and the remedy.

496 6. The duty of the parent or legal custodian to report any  
497 change in the residence or location of the child to the  
498 investigator and that the duty to report continues until the  
499 investigation is closed.

500 (b) The investigator shall ~~department's training program~~  
501 ~~shall ensure that protective investigators know how to~~ fully  
502 inform parents or legal custodians of their rights and options,  
503 including opportunities for audio or video recording of  
504 investigators' interviews with parents or legal custodians or  
505 children.

506 (6) Upon commencing an investigation under this part, if a  
507 report was received from a reporter under s. 39.201(1)(b), the  
508 protective investigator must provide his or her contact  
509 information to the reporter within 24 hours after being assigned  
510 to the investigation. The investigator must also advise the  
511 reporter that he or she may provide a written summary of the  
512 report made to the central abuse hotline to the investigator  
513 which shall become a part of the electronic child welfare case  
514 ~~master~~ file.

515 (7) An assessment of safety risk and the perceived needs  
516 for the child and family shall be conducted in a manner that is  
517 sensitive to the social, economic, and cultural environment of  
518 the family. This assessment must include a face-to-face  
519 interview with the child, other siblings, parents, and other  
520 adults in the household and an onsite assessment of the child's  
521 residence.

522 (8) Protective investigations shall be performed by the

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523 department or its agent.

524 ~~(9) The person responsible for the investigation shall make~~  
525 ~~a preliminary determination as to whether the report is~~  
526 ~~complete, consulting with the attorney for the department when~~  
527 ~~necessary. In any case in which the person responsible for the~~  
528 ~~investigation finds that the report is incomplete, he or she~~  
529 ~~shall return it without delay to the person or agency~~  
530 ~~originating the report or having knowledge of the facts, or to~~  
531 ~~the appropriate law enforcement agency having investigative~~  
532 ~~jurisdiction, and request additional information in order to~~  
533 ~~complete the report; however, the confidentiality of any report~~  
534 ~~filed in accordance with this chapter shall not be violated.~~

535 ~~(a) If it is determined that the report is complete, but~~  
536 ~~the interests of the child and the public will be best served by~~  
537 ~~providing the child care or other treatment voluntarily accepted~~  
538 ~~by the child and the parents or legal custodians, the protective~~  
539 ~~investigator may refer the parent or legal custodian and child~~  
540 ~~for such care or other treatment.~~

541 ~~(b) If it is determined that the child is in need of the~~  
542 ~~protection and supervision of the court, the department shall~~  
543 ~~file a petition for dependency. A petition for dependency shall~~  
544 ~~be filed in all cases classified by the department as high risk.~~  
545 ~~Factors that the department may consider in determining whether~~  
546 ~~a case is high risk include, but are not limited to, the young~~  
547 ~~age of the parents or legal custodians; the use of illegal~~  
548 ~~drugs; the arrest of the parents or legal custodians on charges~~  
549 ~~of manufacturing, processing, disposing of, or storing, either~~  
550 ~~temporarily or permanently, any substances in violation of~~  
551 ~~chapter 893; or domestic violence.~~

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552 ~~(c) If a petition for dependency is not being filed by the~~  
553 ~~department, the person or agency originating the report shall be~~  
554 ~~advised of the right to file a petition pursuant to this part.~~

555 (9)~~(10)~~ (a) For each report received from the central abuse  
556 hotline and accepted for investigation ~~that meets one or more of~~  
557 ~~the following criteria~~, the department or the sheriff providing  
558 child protective investigative services under s. 39.3065, shall  
559 perform the following ~~an on-site~~ child protective investigation  
560 activities to determine child safety:

561 1. Conduct a review of all relevant, available information  
562 specific to the child and family and alleged maltreatment;  
563 family child welfare history; local, state, and federal criminal  
564 records checks; and requests for law enforcement assistance  
565 provided by the abuse hotline. Based on a review of available  
566 information, including the allegations in the current report, a  
567 determination shall be made as to whether immediate consultation  
568 should occur with law enforcement, the child protection team, a  
569 domestic violence shelter or advocate, or a substance abuse or  
570 mental health professional. Such consultations should include  
571 discussion as to whether a joint response is necessary and  
572 feasible. A determination shall be made as to whether the person  
573 making the report should be contacted before the face-to-face  
574 interviews with the child and family members. A report for which  
575 ~~there is obvious compelling evidence that no maltreatment~~  
576 ~~occurred and there are no prior reports containing some~~  
577 ~~indicators or verified findings of abuse or neglect with respect~~  
578 ~~to any subject of the report or other individuals in the home. A~~  
579 ~~prior report in which an adult in the home was a victim of abuse~~  
580 ~~or neglect before becoming an adult does not exclude a report~~

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581 otherwise meeting the criteria of this subparagraph from the  
582 onsite child protective investigation provided for in this  
583 subparagraph. The process for an onsite child protective  
584 investigation stipulated in this subsection may not be conducted  
585 if an allegation meeting the criteria of this subparagraph  
586 involves physical abuse, sexual abuse, domestic violence,  
587 substance abuse or substance exposure, medical neglect, a child  
588 younger than 3 years of age, or a child who is disabled or lacks  
589 communication skills.

590 2. Conduct A report concerning an incident of abuse which  
591 is alleged to have occurred 2 or more years prior to the date of  
592 the report and there are no other indicators of risk to any  
593 child in the home.

594 (b) ~~The onsite child protective investigation to be~~  
595 ~~performed shall include a face-to-face~~ interviews ~~interview~~ with  
596 the child; other siblings, if any; and the parents, legal  
597 custodians, or caregivers.; ~~and other adults in the household~~  
598 ~~and an onsite assessment of the child's residence in order to:~~

599 3.1. Assess the child's residence, including a  
600 determination of ~~Determine~~ the composition of the family and ~~or~~  
601 household, including the name, address, date of birth, social  
602 security number, sex, and race of each child named in the  
603 report; any siblings or other children in the same household or  
604 in the care of the same adults; the parents, legal custodians,  
605 or caregivers; and any other adults in the same household.

606 4.2. Determine whether there is any indication that any  
607 child in the family or household has been abused, abandoned, or  
608 neglected; the nature and extent of present or prior injuries,  
609 abuse, or neglect, and any evidence thereof; and a determination

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610 as to the person or persons apparently responsible for the  
611 abuse, abandonment, or neglect, including the name, address,  
612 date of birth, social security number, sex, and race of each  
613 such person.

614 5.3. Complete assessment of immediate child safety for  
615 Determine the immediate and long-term risk to each child based  
616 on available records, interviews, and observations with all  
617 persons named in subparagraph 2. and appropriate collateral  
618 contacts, which may include other professionals by conducting  
619 state and federal records checks, including, when feasible, the  
620 records of the Department of Corrections, on the parents, legal  
621 custodians, or caregivers, and any other persons in the same  
622 household. This information shall be used solely for purposes  
623 supporting the detection, apprehension, prosecution, pretrial  
624 release, posttrial release, or rehabilitation of criminal  
625 offenders or persons accused of the crimes of child abuse,  
626 abandonment, or neglect and shall not be further disseminated or  
627 used for any other purpose. The department's child protection  
628 investigators are hereby designated a criminal justice agency  
629 for the purpose of accessing criminal justice information to be  
630 used for enforcing this state's laws concerning the crimes of  
631 child abuse, abandonment, and neglect. This information shall be  
632 used solely for purposes supporting the detection, apprehension,  
633 prosecution, pretrial release, posttrial release, or  
634 rehabilitation of criminal offenders or persons accused of the  
635 crimes of child abuse, abandonment, or neglect and may not be  
636 further disseminated or used for any other purpose.

637 6.4. Document the present and impending dangers Determine  
638 the immediate and long-term risk to each child based on the

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639 identification of inadequate protective capacity through  
640 utilization of a standardized safety risk assessment instrument  
641 instruments.

642 (b) Upon completion of the immediate safety assessment, the  
643 department shall determine the additional activities necessary  
644 to assess impending dangers, if any, and close the  
645 investigation.

646 ~~5. Based on the information obtained from available~~  
647 ~~sources, complete the risk assessment instrument within 48 hours~~  
648 ~~after the initial contact and, if needed, develop a case plan.~~

649 (c)6. For each report received from the central abuse  
650 hotline, the department or the sheriff providing child  
651 protective investigative services under s. 39.3065, shall  
652 determine the protective, treatment, and ameliorative services  
653 necessary to safeguard and ensure the child's safety and well-  
654 being and development, and cause the delivery of those services  
655 through the early intervention of the department or its agent.  
656 As applicable, The training provided to staff members who  
657 conduct child protective investigators investigations must  
658 inform parents and caregivers include instruction on how and  
659 when to use the injunction process under s. 39.504 or s. 741.30  
660 to remove a perpetrator of domestic violence from the home as an  
661 intervention to protect the child.

662 1. If the department or the sheriff providing child  
663 protective investigative services determines that the interests  
664 of the child and the public will be best served by providing the  
665 child care or other treatment voluntarily accepted by the child  
666 and the parents or legal custodians, the parent or legal  
667 custodian and child may be referred for such care, case

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668 management, or other community resources.

669 2. If the department or the sheriff providing child  
670 protective investigative services determines that the child is  
671 in need of protection and supervision, the department may file a  
672 petition for dependency.

673 3. If a petition for dependency is not being filed by the  
674 department, the person or agency originating the report shall be  
675 advised of the right to file a petition pursuant to this part.

676 4. At the close of an investigation, the department or the  
677 sheriff providing child protective services shall provide to the  
678 person who is alleged to have caused the abuse, neglect, or  
679 abandonment and the parent or legal custodian a summary of  
680 findings from the investigation and provide information about  
681 their right to access confidential reports in accordance with s.  
682 39.202.

683 ~~(c) The determination that a report requires an~~  
684 ~~investigation as provided in this subsection and does not~~  
685 ~~require an enhanced onsite child protective investigation~~  
686 ~~pursuant to subsection (11) must be approved in writing by the~~  
687 ~~supervisor with documentation specifying why additional~~  
688 ~~investigative activities are not necessary.~~

689 ~~(d) A report that meets the criteria specified in this~~  
690 ~~subsection is not precluded from further investigative~~  
691 ~~activities. At any time it is determined that additional~~  
692 ~~investigative activities are necessary for the safety of the~~  
693 ~~child, such activities shall be conducted.~~

694 (10)(11)(a) The department's training program for staff  
695 responsible for responding to reports accepted by the central  
696 abuse hotline must also ensure that child protective responders:



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697       1. Know how to fully inform parents or legal custodians of  
698 their rights and options, including opportunities for audio or  
699 video recording of child protective responder interviews with  
700 parents or legal custodians or children.

701       2. Know how and when to use the injunction process under s.  
702 39.504 or s. 741.30 to remove a perpetrator of domestic violence  
703 from the home as an intervention to protect the child.

704       3. Know how to explain, to the parent, legal custodian, or  
705 person who is alleged to have caused the abuse, neglect, or  
706 abandonment, the results of the investigation and provide  
707 information about their right to access confidential reports in  
708 accordance with s. 39.202 prior to closing the case.

709       (b) To enhance the skills of individual staff members and  
710 to improve the region's and district's overall child protection  
711 system, the department's training program at the regional and  
712 district levels must include results of qualitative reviews of  
713 child protective investigation cases handled within the region  
714 or district in order to identify weaknesses as well as examples  
715 of effective interventions which occurred at each point in the  
716 case. For each report that meets one or more of the following  
717 criteria, the department shall perform an enhanced onsite child  
718 protective investigation:

719       ~~1. Any allegation that involves physical abuse, sexual~~  
720 ~~abuse, domestic violence, substance abuse or substance exposure,~~  
721 ~~medical neglect, a child younger than 3 years of age, or a child~~  
722 ~~who is disabled or lacks communication skills.~~

723       ~~2. Any report that involves an individual who has been the~~  
724 ~~subject of a prior report containing some indicators or verified~~  
725 ~~findings of abuse, neglect, or abandonment.~~

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726 ~~3. Any report that does not contain compelling evidence~~  
727 ~~that the maltreatment did not occur.~~

728 ~~4. Any report that does not meet the criteria for an onsite~~  
729 ~~child protective investigation as set forth in subsection (10).~~

730 ~~(b) The enhanced onsite child protective investigation~~  
731 ~~shall include, but is not limited to:~~

732 ~~1. A face-to-face interview with the child, other siblings,~~  
733 ~~parents or legal custodians or caregivers, and other adults in~~  
734 ~~the household;~~

735 ~~2. Collateral contacts;~~

736 ~~3. Contact with the reporter as required by rule;~~

737 ~~4. An onsite assessment of the child's residence in~~  
738 ~~accordance with paragraph (10) (b); and~~

739 ~~5. An updated assessment.~~

740 (c) For all reports received, detailed documentation is  
741 required for the investigative activities.

742 ~~(11)(12)~~ The department shall incorporate into its quality  
743 assurance program the monitoring of ~~the determination of~~ reports  
744 that receive a ~~an~~ onsite child protective investigation to  
745 determine the quality and timeliness of safety assessments,  
746 engagements with families, teamwork with other experts and  
747 professionals, and appropriate investigative activities that are  
748 uniquely tailored to the safety factors associated with each  
749 child and family ~~and those that receive an enhanced onsite child~~  
750 ~~protective investigation.~~

751 ~~(12)(13)~~ If the department or its agent is denied  
752 reasonable access to a child by the parents, legal custodians,  
753 or caregivers and the department deems that the best interests  
754 of the child so require, it shall seek an appropriate court

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755 order or other legal authority before ~~prior to~~ examining and  
756 interviewing the child.

757 (13) ~~(14)~~ Onsite visits and face-to-face interviews with the  
758 child or family shall be unannounced unless it is determined by  
759 the department or its agent or contract provider that such  
760 unannounced visit would threaten the safety of the child.

761 (14) ~~(15)~~ (a) If the department or its agent determines that  
762 a child requires immediate or long-term protection through:

- 763 1. Medical or other health care; or  
764 2. Homemaker care, day care, protective supervision, or  
765 other services to stabilize the home environment, including  
766 intensive family preservation services through the Intensive  
767 Crisis Counseling Program,

768  
769 such services shall first be offered for voluntary acceptance  
770 unless there are high-risk factors that may impact the ability  
771 of the parents or legal custodians to exercise judgment. Such  
772 factors may include the parents' or legal custodians' young age  
773 or history of substance abuse or domestic violence.

774 (b) The parents or legal custodians shall be informed of  
775 the right to refuse services, as well as the responsibility of  
776 the department to protect the child regardless of the acceptance  
777 or refusal of services. If the services are refused, a  
778 collateral contact ~~required under subparagraph (11)(b)2.~~ shall  
779 include a relative, if the protective investigator has knowledge  
780 of and the ability to contact a relative. If the services are  
781 refused and the department deems that the child's need for  
782 protection so requires, the department shall take the child into  
783 protective custody or petition the court as provided in this

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784 chapter. At any time after the commencement of a protective  
785 investigation, a relative may submit in writing to the  
786 protective investigator or case manager a request to receive  
787 notification of all proceedings and hearings in accordance with  
788 s. 39.502. The request shall include the relative's name,  
789 address, and phone number and the relative's relationship to the  
790 child. The protective investigator or case manager shall forward  
791 such request to the attorney for the department. The failure to  
792 provide notice to either a relative who requests it pursuant to  
793 this subsection or to a relative who is providing out-of-home  
794 care for a child may ~~shall~~ not result in any previous action of  
795 the court at any stage or proceeding in dependency or  
796 termination of parental rights under any part of this chapter  
797 being set aside, reversed, modified, or in any way changed  
798 absent a finding by the court that a change is required in the  
799 child's best interests.

800 (c) The department, in consultation with the judiciary,  
801 shall adopt by rule criteria that are factors requiring that the  
802 department take the child into custody, petition the court as  
803 provided in this chapter, or, if the child is not taken into  
804 custody or a petition is not filed with the court, conduct an  
805 administrative review. If after an administrative review the  
806 department determines not to take the child into custody or  
807 petition the court, the department shall document the reason for  
808 its decision in writing and include it in the investigative  
809 file. For all cases that were accepted by the local law  
810 enforcement agency for criminal investigation pursuant to  
811 subsection (2), the department must include in the file written  
812 documentation that the administrative review included input from

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813 law enforcement. In addition, for all cases that must be  
814 referred to child protection teams pursuant to s. 39.303(2) and  
815 (3), the file must include written documentation that the  
816 administrative review included the results of the team's  
817 evaluation. Factors that must be included in the development of  
818 the rule include noncompliance with the case plan developed by  
819 the department, or its agent, and the family under this chapter  
820 and prior abuse reports with findings that involve the child or  
821 caregiver.

822 (15)~~(16)~~ When a child is taken into custody pursuant to  
823 this section, the authorized agent of the department shall  
824 request that the child's parent, caregiver, or legal custodian  
825 disclose the names, relationships, and addresses of all parents  
826 and prospective parents and all next of kin, so far as are  
827 known.

828 (16)~~(17)~~ The department shall complete its protective  
829 investigation within 60 days after receiving the initial report,  
830 unless:

831 (a) There is also an active, concurrent criminal  
832 investigation that is continuing beyond the 60-day period and  
833 the closure of the protective investigation may compromise  
834 successful criminal prosecution of the child abuse or neglect  
835 case, in which case the closure date shall coincide with the  
836 closure date of the criminal investigation and any resulting  
837 legal action.

838 (b) In child death cases, the final report of the medical  
839 examiner is necessary for the department to close its  
840 investigation and the report has not been received within the  
841 60-day period, in which case the report closure date shall be

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842 extended to accommodate the report.

843 (c) A child who is necessary to an investigation has been  
844 declared missing by the department, a law enforcement agency, or  
845 a court, in which case the 60-day period shall be extended until  
846 the child has been located or until sufficient information  
847 exists to close the investigation despite the unknown location  
848 of the child.

849 (17)~~(18)~~ Immediately upon learning during the course of an  
850 investigation that:

851 (a) The immediate safety or well-being of a child is  
852 endangered;

853 (b) The family is likely to flee;

854 (c) A child died as a result of abuse, abandonment, or  
855 neglect;

856 (d) A child is a victim of aggravated child abuse as  
857 defined in s. 827.03; or

858 (e) A child is a victim of sexual battery or of sexual  
859 abuse,

860  
861 the department shall ~~orally~~ notify the jurisdictionally  
862 responsible state attorney, and county sheriff's office or local  
863 police department, and, within 3 working days, transmit a full  
864 written report to those agencies. The law enforcement agency  
865 shall review the report and determine whether a criminal  
866 investigation needs to be conducted and shall assume lead  
867 responsibility for all criminal fact-finding activities. A  
868 criminal investigation shall be coordinated, whenever possible,  
869 with the child protective investigation of the department. Any  
870 interested person who has information regarding an offense

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871 described in this subsection may forward a statement to the  
872 state attorney as to whether prosecution is warranted and  
873 appropriate.

874 ~~(18)~~(19) In a child protective investigation or a criminal  
875 investigation, when the initial interview with the child is  
876 conducted at school, the department or the law enforcement  
877 agency may allow, notwithstanding ~~the provisions of s.~~  
878 39.0132(4), a school staff member who is known by the child to  
879 be present during the initial interview if:

880 (a) The department or law enforcement agency believes that  
881 the school staff member could enhance the success of the  
882 interview by his or her presence; and

883 (b) The child requests or consents to the presence of the  
884 school staff member at the interview.

885

886 School staff may be present only when authorized by this  
887 subsection. Information received during the interview or from  
888 any other source regarding the alleged abuse or neglect of the  
889 child is ~~shall be~~ confidential and exempt from ~~the provisions of~~  
890 s. 119.07(1), except as otherwise provided by court order. A  
891 separate record of the investigation of the abuse, abandonment,  
892 or neglect may ~~shall~~ not be maintained by the school or school  
893 staff member. Violation of this subsection is ~~constitutes~~ a  
894 misdemeanor of the second degree, punishable as provided in s.  
895 775.082 or s. 775.083.

896 ~~(19)~~(20) When a law enforcement agency conducts a criminal  
897 investigation into allegations of child abuse, neglect, or  
898 abandonment, photographs documenting the abuse or neglect shall  
899 ~~will~~ be taken when appropriate.

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900        (20)~~(21)~~ Within 15 days after the case is reported to him  
901 or her pursuant to this chapter, the state attorney shall report  
902 his or her findings to the department and shall include in such  
903 report a determination of whether or not prosecution is  
904 justified and appropriate in view of the circumstances of the  
905 specific case.

906        ~~(22) In order to enhance the skills of individual staff and  
907 to improve the district's overall child protection system, the  
908 department's training program at the district level must include  
909 periodic reviews of cases handled within the district in order  
910 to identify weaknesses as well as examples of effective  
911 interventions that occurred at each point in the case.~~

912        (21)~~(23)~~ When an investigation is closed and a person is  
913 not identified as a caregiver responsible for the abuse,  
914 neglect, or abandonment alleged in the report, the fact that the  
915 person is named in some capacity in the report may not be used  
916 in any way to adversely affect the interests of that person.  
917 This prohibition applies to any use of the information in  
918 employment screening, licensing, child placement, adoption, or  
919 any other decisions by a private adoption agency or a state  
920 agency or its contracted providers, except that a previous  
921 report may be used to determine whether a child is safe and what  
922 the known risk is to the child at any stage of a child  
923 protection proceeding.

924        (22)~~(24)~~ If, after having been notified of the requirement  
925 to report a change in residence or location of the child to the  
926 protective investigator, a parent or legal custodian causes the  
927 child to move, or allows the child to be moved, to a different  
928 residence or location, or if the child leaves the residence on



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929 his or her own accord and the parent or legal custodian does not  
930 notify the protective investigator of the move within 2 business  
931 days, the child may be considered to be a missing child for the  
932 purposes of filing a report with a law enforcement agency under  
933 s. 937.021.

934 Section 7. Subsection (1) of section 39.302, Florida  
935 Statutes, is amended to read:

936 39.302 Protective investigations of institutional child  
937 abuse, abandonment, or neglect.—

938 (1) The department shall conduct a child protective  
939 investigation of each report of institutional child abuse,  
940 abandonment, or neglect. Upon receipt of a report that alleges  
941 that an employee or agent of the department, or any other entity  
942 or person covered by s. 39.01(33) or (47), acting in an official  
943 capacity, has committed an act of child abuse, abandonment, or  
944 neglect, the department shall initiate a child protective  
945 investigation within the timeframe established under s.  
946 39.201(5) and ~~orally~~ notify the appropriate state attorney, law  
947 enforcement agency, and licensing agency, which shall  
948 immediately conduct a joint investigation, unless independent  
949 investigations are more feasible. When conducting investigations  
950 ~~onsite~~ or having face-to-face interviews with the child,  
951 investigation visits shall be unannounced unless it is  
952 determined by the department or its agent that unannounced  
953 visits threaten the safety of the child. If a facility is exempt  
954 from licensing, the department shall inform the owner or  
955 operator of the facility of the report. Each agency conducting a  
956 joint investigation is entitled to full access to the  
957 information gathered by the department in the course of the

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958 investigation. A protective investigation must include an  
959 interview with the child's parent or legal guardian ~~an onsite~~  
960 ~~visit of the child's place of residence~~. The department shall  
961 make a full written report to the state attorney within 3  
962 working days after making the oral report. A criminal  
963 investigation shall be coordinated, whenever possible, with the  
964 child protective investigation of the department. Any interested  
965 person who has information regarding the offenses described in  
966 this subsection may forward a statement to the state attorney as  
967 to whether prosecution is warranted and appropriate. Within 15  
968 days after the completion of the investigation, the state  
969 attorney shall report the findings to the department and shall  
970 include in the report a determination of whether or not  
971 prosecution is justified and appropriate in view of the  
972 circumstances of the specific case.

973 Section 8. Subsection (2) of section 39.307, Florida  
974 Statutes, is amended to read:

975 39.307 Reports of child-on-child sexual abuse.—

976 (2) The department, contracted sheriff's office providing  
977 protective investigation services, or contracted case management  
978 personnel responsible for providing services ~~District staff~~, at  
979 a minimum, shall adhere to the following procedures:

980 (a) The purpose of the response to a report alleging  
981 juvenile sexual abuse behavior shall be explained to the  
982 caregiver.

983 1. The purpose of the response shall be explained in a  
984 manner consistent with legislative purpose and intent provided  
985 in this chapter.

986 2. The name and office telephone number of the person

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987 responding shall be provided to the caregiver of the alleged  
988 juvenile sexual offender or child who has exhibited  
989 inappropriate sexual behavior and the victim's caregiver.

990 3. The possible consequences of the department's response,  
991 including outcomes and services, shall be explained to the  
992 caregiver of the alleged juvenile sexual offender or child who  
993 has exhibited inappropriate sexual behavior and the victim's  
994 caregiver.

995 (b) The caregiver of the alleged juvenile sexual offender  
996 or child who has exhibited inappropriate sexual behavior and the  
997 victim's caregiver shall be involved to the fullest extent  
998 possible in determining the nature of the sexual behavior  
999 concerns ~~allegation~~ and the nature of any problem or risk to  
1000 other children.

1001 (c) The assessment of risk and the perceived treatment  
1002 needs of the alleged juvenile sexual offender or child who has  
1003 exhibited inappropriate sexual behavior, the victim, and  
1004 respective caregivers shall be conducted by the district staff,  
1005 the child protection team of the Department of Health, and other  
1006 providers under contract with the department to provide services  
1007 to the caregiver of the alleged offender, the victim, and the  
1008 victim's caregiver.

1009 (d) The assessment shall be conducted in a manner that is  
1010 sensitive to the social, economic, and cultural environment of  
1011 the family.

1012 (e) If necessary, the child protection team of the  
1013 Department of Health shall conduct a physical examination of the  
1014 victim, which is sufficient to meet forensic requirements.

1015 (f) Based on the information obtained from the alleged

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1016 juvenile sexual offender or child who has exhibited  
1017 inappropriate sexual behavior, his or her caregiver, the victim,  
1018 and the victim's caregiver, an assessment of service and  
1019 treatment needs ~~report~~ must be completed ~~within 7 days~~ and, if  
1020 needed, a case plan developed within 30 days.

1021 (g) The department shall classify the outcome of the report  
1022 as follows:

1023 1. Report closed. Services were not offered because the  
1024 department determined that there was no basis for intervention.

1025 2. Services accepted by alleged juvenile sexual offender.  
1026 Services were offered to the alleged juvenile sexual offender or  
1027 child who has exhibited inappropriate sexual behavior and  
1028 accepted by the caregiver.

1029 3. Report closed. Services were offered to the alleged  
1030 juvenile sexual offender or child who has exhibited  
1031 inappropriate sexual behavior, but were rejected by the  
1032 caregiver.

1033 4. Notification to law enforcement. The risk to the  
1034 victim's safety and well-being cannot be reduced by the  
1035 provision of services or the caregiver rejected services, and  
1036 notification of the alleged delinquent act or violation of law  
1037 to the appropriate law enforcement agency was initiated.

1038 5. Services accepted by victim. Services were offered to  
1039 the victim and accepted by the caregiver.

1040 6. Report closed. Services were offered to the victim but  
1041 were rejected by the caregiver.

1042 Section 9. Section 39.504, Florida Statutes, is amended to  
1043 read:

1044 39.504 Injunction pending disposition of petition;

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1045 penalty.-

1046 (1) At any time after a protective investigation has been  
1047 initiated pursuant to part III of this chapter, the court, upon  
1048 the request of the department, a law enforcement officer, the  
1049 state attorney, or other responsible person, or upon its own  
1050 motion, may, if there is reasonable cause, issue an injunction  
1051 to prevent any act of child abuse. Reasonable cause for the  
1052 issuance of an injunction exists if there is evidence of child  
1053 abuse or if there is a reasonable likelihood of such abuse  
1054 occurring based upon a recent overt act or failure to act.

1055 (2) The petitioner seeking the injunction shall file a  
1056 verified petition, or a petition along with an affidavit,  
1057 setting forth the specific actions by the alleged offender from  
1058 which the child must be protected and all remedies sought. Upon  
1059 filing the petition, the court shall set a hearing to be held at  
1060 the earliest possible time. Pending the hearing, the court may  
1061 issue a temporary ex parte injunction, with verified pleadings  
1062 or affidavits as evidence. The temporary ex parte injunction  
1063 pending a hearing is effective for up to 15 days and the hearing  
1064 must be held within that period unless continued for good cause  
1065 shown, which may include obtaining service of process, in which  
1066 case the temporary ex parte injunction shall be extended for the  
1067 continuance period. The hearing may be held sooner if the  
1068 alleged offender has received reasonable notice. ~~Notice shall be~~  
1069 ~~provided to the parties as set forth in the Florida Rules of~~  
1070 ~~Juvenile Procedure, unless the child is reported to be in~~  
1071 ~~imminent danger, in which case the court may issue an injunction~~  
1072 ~~immediately. A judge may issue an emergency injunction pursuant~~  
1073 ~~to this section without notice if the court is closed for the~~

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1074 ~~transaction of judicial business. If an immediate injunction is~~  
1075 ~~issued, the court must hold a hearing on the next day of~~  
1076 ~~judicial business to dissolve the injunction or to continue or~~  
1077 ~~modify it in accordance with this section.~~

1078 (3) Before the hearing, the alleged offender must be  
1079 personally served with a copy of the petition, all other  
1080 pleadings related to the petition, a notice of hearing, and, if  
1081 one has been entered, the temporary injunction. Following the  
1082 hearing, the court may enter a final injunction. The court may  
1083 grant a continuance of the hearing at any time for good cause  
1084 shown by any party. If a temporary injunction has been entered,  
1085 it shall be continued during the continuance.

1086 (4)~~(3)~~ If an injunction is issued under this section, the  
1087 primary purpose of the injunction must be to protect and promote  
1088 the best interests of the child, taking the preservation of the  
1089 child's immediate family into consideration.

1090 (a) The injunction applies ~~shall apply~~ to the alleged or  
1091 actual offender in a case of child abuse or acts of domestic  
1092 violence. The conditions of the injunction shall be determined  
1093 by the court, which ~~conditions~~ may include ordering the alleged  
1094 or actual offender to:

- 1095 1. Refrain from further abuse or acts of domestic violence.
- 1096 2. Participate in a specialized treatment program.
- 1097 3. Limit contact or communication with the child victim,  
1098 other children in the home, or any other child.
- 1099 4. Refrain from contacting the child at home, school, work,  
1100 or wherever the child may be found.
- 1101 5. Have limited or supervised visitation with the child.
- 1102 ~~6. Pay temporary support for the child or other family~~

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1103 ~~members; the costs of medical, psychiatric, and psychological~~  
1104 ~~treatment for the child incurred as a result of the offenses;~~  
1105 ~~and similar costs for other family members.~~

1106 6.7. Vacate the home in which the child resides.

1107 (b) Upon proper pleading, the court may award the following  
1108 relief in a temporary ex parte or final injunction ~~If the intent~~  
1109 ~~of the injunction is to protect the child from domestic~~  
1110 ~~violence, the conditions may also include:~~

1111 1. ~~Awarding the~~ Exclusive use and possession of the  
1112 dwelling to the caregiver or exclusion of ~~excluding~~ the alleged  
1113 or actual offender from the residence of the caregiver.

1114 2. ~~Awarding temporary custody of the child to the~~  
1115 ~~caregiver.~~

1116 2.3. ~~Establishing~~ Temporary support for the child or other  
1117 family members.

1118 3. The costs of medical, psychiatric, and psychological  
1119 treatment for the child incurred due to the abuse, and similar  
1120 costs for other family members.

1121  
1122 This paragraph does not preclude an ~~the~~ adult victim of domestic  
1123 violence from seeking protection for himself or herself under s.  
1124 741.30.

1125 (c) The terms of the final injunction shall remain in  
1126 effect until modified or dissolved by the court. The petitioner,  
1127 respondent, or caregiver may move at any time to modify or  
1128 dissolve the injunction. Notice of hearing on the motion to  
1129 modify or dissolve the injunction must be provided to all  
1130 parties, including the department. The injunction is valid and  
1131 enforceable in all counties in the state.

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1132        (5)~~(4)~~ Service of process on the respondent shall be  
1133 carried out pursuant to s. 741.30. The department shall deliver  
1134 a copy of any injunction issued pursuant to this section to the  
1135 protected party or to a parent, caregiver, or individual acting  
1136 in the place of a parent who is not the respondent. Law  
1137 enforcement officers may exercise their arrest powers as  
1138 provided in s. 901.15(6) to enforce the terms of the injunction.

1139        (6)~~(5)~~ Any person who fails to comply with an injunction  
1140 issued pursuant to this section commits a misdemeanor of the  
1141 first degree, punishable as provided in s. 775.082 or s.  
1142 775.083.

1143        (7) The person against whom an injunction is entered under  
1144 this section does not automatically become a party to a  
1145 subsequent dependency action concerning the same child.

1146        Section 10. Paragraph (r) of subsection (2) of section  
1147 39.521, Florida Statutes, is amended to read:

1148        39.521 Disposition hearings; powers of disposition.—

1149        (2) The predisposition study must provide the court with  
1150 the following documented information:

1151        (r) If the child has been removed from the home and will be  
1152 remaining with a relative, parent, or other adult approved by  
1153 the court, a home study report concerning the proposed placement  
1154 shall be included in the predisposition report. Before ~~Prior to~~  
1155 recommending to the court any out-of-home placement for a child  
1156 other than placement in a licensed shelter or foster home, the  
1157 department shall conduct a study of the home of the proposed  
1158 legal custodians, which must include, at a minimum:

1159        1. An interview with the proposed legal custodians to  
1160 assess their ongoing commitment and ability to care for the



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1161 child.

1162       2. Records checks through the State Automated Child Welfare  
1163 Information System (SACWIS) ~~Florida Abuse Hotline Information~~  
1164 ~~System (FAHIS)~~, and local and statewide criminal and juvenile  
1165 records checks through the Department of Law Enforcement, on all  
1166 household members 12 years of age or older. In addition, the  
1167 fingerprints of any household members who are 18 years of age or  
1168 older may be submitted to the Department of Law Enforcement for  
1169 processing and forwarding to the Federal Bureau of Investigation  
1170 for state and national criminal history information. The  
1171 department has the discretion to request State Automated Child  
1172 Welfare Information System (SACWIS) and local, statewide, and  
1173 national criminal history checks and fingerprinting of any other  
1174 visitor to the home who is made known to the department ~~and any~~  
1175 ~~other persons made known to the department who are frequent~~  
1176 ~~visitors in the home.~~ Out-of-state criminal records checks must  
1177 be initiated for any individual ~~designated above~~ who has resided  
1178 in a state other than Florida if provided that state's laws  
1179 allow the release of these records. The out-of-state criminal  
1180 records must be filed with the court within 5 days after receipt  
1181 by the department or its agent.

1182       3. An assessment of the physical environment of the home.

1183       4. A determination of the financial security of the  
1184 proposed legal custodians.

1185       5. A determination of suitable child care arrangements if  
1186 the proposed legal custodians are employed outside of the home.

1187       6. Documentation of counseling and information provided to  
1188 the proposed legal custodians regarding the dependency process  
1189 and possible outcomes.

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1190           7. Documentation that information regarding support  
1191 services available in the community has been provided to the  
1192 proposed legal custodians.

1193  
1194 The department may ~~shall~~ not place the child or continue the  
1195 placement of the child in a home under shelter or  
1196 postdisposition placement if the results of the home study are  
1197 unfavorable, unless the court finds that this placement is in  
1198 the child's best interest.

1199  
1200 Any other relevant and material evidence, including other  
1201 written or oral reports, may be received by the court in its  
1202 effort to determine the action to be taken with regard to the  
1203 child and may be relied upon to the extent of its probative  
1204 value, even though not competent in an adjudicatory hearing.  
1205 Except as otherwise specifically provided, nothing in this  
1206 section prohibits the publication of proceedings in a hearing.

1207           Section 11. Subsections (2) and (4) of section 39.6011,  
1208 Florida Statutes, are amended to read:

1209           39.6011 Case plan development.—

1210           (2) The case plan must be written simply and clearly in  
1211 English and, if English is not the principal language of the  
1212 child's parent, to the extent possible in the parent's principal  
1213 language. Each case plan must contain:

1214           (a) A description of the identified problem being  
1215 addressed, including the parent's behavior or acts resulting in  
1216 risk to the child and the reason for the intervention by the  
1217 department.

1218           (b) The permanency goal.

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1219 (c) If concurrent planning is being used, a description of  
1220 the permanency goal of reunification with the parent or legal  
1221 custodian in addition to a description of one of the remaining  
1222 permanency goals described in s. 39.01.

1223 1. If a child has not been removed from a parent, but is  
1224 found to be dependent, even if adjudication of dependency is  
1225 withheld, the court may leave the child in the current placement  
1226 with maintaining and strengthening the placement as a permanency  
1227 option.

1228 2. If a child has been removed from a parent and is placed  
1229 with a parent from whom the child was not removed, the court may  
1230 leave the child in the placement with the parent from whom the  
1231 child was not removed with maintaining and strengthening the  
1232 placement as a permanency option.

1233 3. If a child has been removed from a parent and is  
1234 subsequently reunified with that parent, the court may leave the  
1235 child with that parent with maintaining and strengthening the  
1236 placement as a permanency option.

1237 (d) The date the compliance period expires. The case plan  
1238 must be limited to as short a period as possible for  
1239 accomplishing its provisions. The plan's compliance period  
1240 expires no later than 12 months after the date the child was  
1241 initially removed from the home, the child was adjudicated  
1242 dependent, or the date the case plan was accepted by the court,  
1243 whichever occurs first ~~sooner~~.

1244 (e) A written notice to the parent that failure of the  
1245 parent to substantially comply with the case plan may result in  
1246 the termination of parental rights, and that a material breach  
1247 of the case plan may result in the filing of a petition for

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1248 termination of parental rights sooner than the compliance period  
1249 set forth in the case plan.

1250 (4) The case plan must describe:

1251 (a) The role of the foster parents or legal custodians when  
1252 developing the services that are to be provided to the child,  
1253 foster parents, or legal custodians;

1254 (b) The responsibility of the case manager to forward a  
1255 relative's request to receive notification of all proceedings  
1256 and hearings submitted pursuant to s. 39.301(14)(b)  
1257 ~~39.301(15)(b)~~ to the attorney for the department;

1258 (c) The minimum number of face-to-face meetings to be held  
1259 each month between the parents and the department's family  
1260 services counselors to review the progress of the plan, to  
1261 eliminate barriers to progress, and to resolve conflicts or  
1262 disagreements; and

1263 (d) The parent's responsibility for financial support of  
1264 the child, including, but not limited to, health insurance and  
1265 child support. The case plan must list the costs associated with  
1266 any services or treatment that the parent and child are expected  
1267 to receive which are the financial responsibility of the parent.  
1268 The determination of child support and other financial support  
1269 shall be made independently of any determination of indigency  
1270 under s. 39.013.

1271 Section 12. Subsection (1) of section 39.621, Florida  
1272 Statutes, is amended to read:

1273 39.621 Permanency determination by the court.—

1274 (1) Time is of the essence for permanency of children in  
1275 the dependency system. A permanency hearing must be held no  
1276 later than 12 months after the date the child was removed from

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1277 the home or within ~~no later than~~ 30 days after a court  
1278 determines that reasonable efforts to return a child to either  
1279 parent are not required, whichever occurs first. The purpose of  
1280 the permanency hearing is to determine when the child will  
1281 achieve the permanency goal or whether modifying the current  
1282 goal is in the best interest of the child. A permanency hearing  
1283 must be held at least every 12 months for any child who  
1284 continues to be supervised by ~~receive supervision from~~ the  
1285 department or awaits adoption.

1286 Section 13. Paragraph (b) of subsection (3), subsection  
1287 (6), and paragraph (e) of subsection (10) of section 39.701,  
1288 Florida Statutes, are amended to read:

1289 39.701 Judicial review.—

1290 (3)

1291 (b) If the citizen review panel recommends extending the  
1292 goal of reunification for any case plan beyond 12 months from  
1293 the date the child was removed from the home, ~~or~~ the case plan  
1294 was adopted, or the child was adjudicated dependent, whichever  
1295 date came first, the court must schedule a judicial review  
1296 hearing to be conducted by the court within 30 days after  
1297 receiving the recommendation from the citizen review panel.

1298 (6) The attorney for the department shall notify a relative  
1299 who submits a request for notification of all proceedings and  
1300 hearings pursuant to s. 39.301(14)(b) ~~39.301(15)(b)~~. The notice  
1301 shall include the date, time, and location of the next judicial  
1302 review hearing.

1303 (10)

1304 (e) Within ~~No later than~~ 6 months after the date that the  
1305 child was placed in shelter care, the court shall conduct a

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1306 judicial review hearing to review the child's permanency goal as  
1307 identified in the case plan. At the hearing the court shall make  
1308 findings regarding the likelihood of the child's reunification  
1309 with the parent or legal custodian within 12 months after the  
1310 removal of the child from the home. If, ~~at this hearing,~~ the  
1311 court makes a written finding that it is not likely that the  
1312 child will be reunified with the parent or legal custodian  
1313 within 12 months after the child was removed from the home, the  
1314 department must file with the court, and serve on all parties, a  
1315 motion to amend the case plan under s. 39.6013 and declare that  
1316 it will use concurrent planning for the case plan. The  
1317 department must file the motion within ~~no later than~~ 10 business  
1318 days after receiving the written finding of the court. The  
1319 department must attach the proposed amended case plan to the  
1320 motion. If concurrent planning is already being used, the case  
1321 plan must document the efforts the department is taking to  
1322 complete the concurrent goal.

1323 Section 14. Subsection (1) of section 39.8055, Florida  
1324 Statutes, is amended to read:

1325 39.8055 Requirement to file a petition to terminate  
1326 parental rights; exceptions.—

1327 (1) The department shall file a petition to terminate  
1328 parental rights within 60 days after any of the following if:

1329 (a) ~~The~~ At the time of the 12-month judicial review  
1330 ~~hearing,~~ a child is not returned to the physical custody of the  
1331 parents 12 months after the child was sheltered or adjudicated  
1332 dependent, whichever occurs first;

1333 (b) A petition for termination of parental rights has not  
1334 otherwise been filed, and the child has been in out-of-home care

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1335 under the responsibility of the state for 12 of the most recent  
1336 22 months, calculated on a cumulative basis, but not including  
1337 any trial home visits or time during which the child was a  
1338 runaway;

1339 (c) A parent has been convicted of the murder,  
1340 manslaughter, aiding or abetting the murder, or conspiracy or  
1341 solicitation to murder the other parent or another child of the  
1342 parent, or a felony battery that resulted in serious bodily  
1343 injury to the child or to another child of the parent; or

1344 (d) A court determines that reasonable efforts to reunify  
1345 the child and parent are not required.

1346 Section 15. Paragraphs (d), (e), and (k) of subsection (1)  
1347 and subsection (2) of section 39.806, Florida Statutes, are  
1348 amended to read:

1349 39.806 Grounds for termination of parental rights.—

1350 (1) Grounds for the termination of parental rights may be  
1351 established under any of the following circumstances:

1352 (d) When the parent of a child is incarcerated ~~in a state~~  
1353 ~~or federal correctional institution and either:~~

1354 1. The period of time for which the parent is expected to  
1355 be incarcerated will constitute a significant ~~substantial~~  
1356 portion of the child's minority. When determining whether the  
1357 period of time is significant, the court shall consider the  
1358 child's age and the child's need for a permanent and stable  
1359 home. The period of time begins on the date that the parent  
1360 enters into incarceration ~~period of time before the child will~~  
1361 ~~attain the age of 18 years;~~

1362 2. The incarcerated parent has been determined by the court  
1363 to be a violent career criminal as defined in s. 775.084, a

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1364 habitual violent felony offender as defined in s. 775.084, or a  
1365 sexual predator as defined in s. 775.21; has been convicted of  
1366 first degree or second degree murder in violation of s. 782.04  
1367 or a sexual battery that constitutes a capital, life, or first  
1368 degree felony violation of s. 794.011; or has been convicted of  
1369 an offense in another jurisdiction which is substantially  
1370 similar to one of the offenses listed in this paragraph. As used  
1371 in this section, the term "substantially similar offense" means  
1372 any offense that is substantially similar in elements and  
1373 penalties to one of those listed in this subparagraph, and that  
1374 is in violation of a law of any other jurisdiction, whether that  
1375 of another state, the District of Columbia, the United States or  
1376 any possession or territory thereof, or any foreign  
1377 jurisdiction; or

1378 3. The court determines by clear and convincing evidence  
1379 that continuing the parental relationship with the incarcerated  
1380 parent would be harmful to the child and, for this reason, that  
1381 termination of the parental rights of the incarcerated parent is  
1382 in the best interest of the child. When determining harm, the  
1383 court shall consider the following factors:

1384 a. The age of the child;

1385 b. The relationship between the child and the parent;

1386 c. The nature of the parent's current and past provision  
1387 for the child's developmental, cognitive, psychological, and  
1388 physical needs;

1389 d. The parent's history of criminal behavior, which may  
1390 include the frequency of incarceration and the unavailability of  
1391 the parent to the child due to incarceration; and

1392 e. Any other factor the court deems relevant.



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1393 (e) When a child has been adjudicated dependent, a case  
1394 plan has been filed with the court, and:

1395 1. The child continues to be abused, neglected, or  
1396 abandoned by the parent or parents. The failure of the parent or  
1397 parents to substantially comply with the case plan for a period  
1398 of 12 ~~9~~ months after an adjudication of the child as a dependent  
1399 child or the child's placement into shelter care, whichever  
1400 occurs first, constitutes evidence of continuing abuse, neglect,  
1401 or abandonment unless the failure to substantially comply with  
1402 the case plan was due to the parent's lack of financial  
1403 resources or to the failure of the department to make reasonable  
1404 efforts to reunify the parent and child. The 12-month ~~9-month~~  
1405 period begins to run only after the child's placement into  
1406 shelter care or the entry of a disposition order placing the  
1407 custody of the child with the department or a person other than  
1408 the parent and the court's approval of a case plan having the  
1409 goal of reunification with the parent, whichever occurs first;  
1410 or

1411 2. The parent or parents have materially breached the case  
1412 plan. Time is of the essence for permanency of children in the  
1413 dependency system. In order to prove the parent or parents have  
1414 materially breached the case plan, the court must find by clear  
1415 and convincing evidence that the parent or parents are unlikely  
1416 or unable to substantially comply with the case plan before time  
1417 to comply with the case plan expires.

1418 (k) A test administered at birth that indicated that the  
1419 child's blood, urine, or meconium contained any amount of  
1420 alcohol or a controlled substance or metabolites of such  
1421 substances, the presence of which was not the result of medical

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1422 treatment administered to the mother or the newborn infant, and  
1423 the biological mother of the child is the biological mother of  
1424 at least one other child who was adjudicated dependent after a  
1425 finding of harm to the child's health or welfare due to exposure  
1426 to a controlled substance or alcohol as defined in s.  
1427 39.01~~(32)(g)~~, after which the biological mother had the  
1428 opportunity to participate in substance abuse treatment.

1429 (2) Reasonable efforts to preserve and reunify families are  
1430 not required if a court of competent jurisdiction has determined  
1431 that any of the events described in paragraphs (1)(b)-(d) or  
1432 (f)-(1) ~~(1)(e)-(1)~~ have occurred.

1433 Section 16. The amendments made by this act to paragraph  
1434 (d) of subsection (1) of section 39.806, Florida Statutes, do  
1435 not apply to any cause of action that accrued before July 1,  
1436 2012.

1437 Section 17. Subsections (1) and (19) of section 39.502,  
1438 Florida Statutes, are amended to read:

1439 39.502 Notice, process, and service.—

1440 (1) Unless parental rights have been terminated, all  
1441 parents must be notified of all proceedings or hearings  
1442 involving the child. Notice in cases involving shelter hearings  
1443 and hearings resulting from medical emergencies must be that  
1444 most likely to result in actual notice to the parents. In all  
1445 other dependency proceedings, notice must be provided in  
1446 accordance with subsections (4)-(9), except when a relative  
1447 requests notification pursuant to s. 39.301(14)(b)  
1448 ~~39.301(15)(b)~~, in which case notice shall be provided pursuant  
1449 to subsection (19).

1450 (19) In all proceedings and hearings under this chapter,

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1451 the attorney for the department shall notify, orally or in  
1452 writing, a relative requesting notification pursuant to s.  
1453 39.301(14)(b) ~~39.301(15)(b)~~ of the date, time, and location of  
1454 such proceedings and hearings, and notify the relative that he  
1455 or she has the right to attend all subsequent proceedings and  
1456 hearings, to submit reports to the court, and to speak to the  
1457 court regarding the child, if the relative so desires. The court  
1458 has the discretion to release the attorney for the department  
1459 from notifying a relative who requested notification pursuant to  
1460 s. 39.301(14)(b) ~~39.301(15)(b)~~ if the relative's involvement is  
1461 determined to be impeding the dependency process or detrimental  
1462 to the child's well-being.

1463 Section 18. Section 39.823, Florida Statutes, is amended to  
1464 read:

1465 39.823 Guardian advocates for drug dependent newborns.—The  
1466 Legislature finds that increasing numbers of drug dependent  
1467 children are born in this state. Because of the parents'  
1468 continued dependence upon drugs, the parents may temporarily  
1469 leave their child with a relative or other adult or may have  
1470 agreed to voluntary family services under s. 39.301(14)  
1471 ~~39.301(15)~~. The relative or other adult may be left with a child  
1472 who is likely to require medical treatment but for whom they are  
1473 unable to obtain medical treatment. The purpose of this section  
1474 is to provide an expeditious method for such relatives or other  
1475 responsible adults to obtain a court order which allows them to  
1476 provide consent for medical treatment and otherwise advocate for  
1477 the needs of the child and to provide court review of such  
1478 authorization.

1479 Section 19. Subsection (1) of section 39.828, Florida

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1480 Statutes, is amended to read:

1481 39.828 Grounds for appointment of a guardian advocate.—

1482 (1) The court shall appoint the person named in the  
1483 petition as a guardian advocate with all the powers and duties  
1484 specified in s. 39.829 for an initial term of 1 year upon a  
1485 finding that:

1486 (a) The child named in the petition is or was a drug  
1487 dependent newborn as described in s. 39.01~~(32)(g)~~;

1488 (b) The parent or parents of the child have voluntarily  
1489 relinquished temporary custody of the child to a relative or  
1490 other responsible adult;

1491 (c) The person named in the petition to be appointed the  
1492 guardian advocate is capable of carrying out the duties as  
1493 provided in s. 39.829; and

1494 (d) A petition to adjudicate the child dependent under this  
1495 chapter has not been filed.

1496 Section 20. Subsection (3) of section 402.56, Florida  
1497 Statutes, is amended to read:

1498 402.56 Children's cabinet; organization; responsibilities;  
1499 annual report.—

1500 (3) ORGANIZATION.—There is created the Children and Youth  
1501 Cabinet, which is a coordinating council as defined in s. 20.03.

1502 (a) The cabinet shall ensure that the public policy of this  
1503 state relating to children and youth is developed to promote  
1504 interdepartmental collaboration and program implementation in  
1505 order that services designed for children and youth are planned,  
1506 managed, and delivered in a holistic and integrated manner to  
1507 improve the children's self-sufficiency, safety, economic  
1508 stability, health, and quality of life.

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1509           (b) The cabinet is created in the Executive Office of the  
1510 Governor, which shall provide administrative support and service  
1511 to the cabinet.

1512           (c) ~~The cabinet shall meet for its organizational session~~  
1513 ~~no later than October 1, 2007. Thereafter,~~ The cabinet shall  
1514 meet at least four ~~six~~ times each year in different regions of  
1515 the state in order to solicit input from the public and any  
1516 other individual offering testimony relevant to the issues  
1517 considered. Each meeting must include a public comment session.

1518           Section 21. This act shall take effect July 1, 2012.