

1 A bill to be entitled
2 An act relating to child welfare; providing a short
3 title; amending s. 25.385, F.S.; requiring the Florida
4 Court Educational Council to establish certain
5 standards for instruction of circuit and county court
6 judges for dependency cases; creating s. 39.0142,
7 F.S.; requiring the Department of Law Enforcement to
8 provide certain information to law enforcement
9 officers relating to specified individuals; providing
10 how such information shall be provided to law
11 enforcement officers; providing requirements for law
12 enforcement officers and the central abuse hotline
13 relating to specified interactions with certain
14 persons and how to relay details of such interactions;
15 amending s. 39.8296, F.S.; requiring that the guardian
16 ad litem training program include training on the
17 recognition of and responses to head trauma and brain
18 injury in specified children; amending s. 402.402,
19 F.S.; requiring certain entities to provide training
20 to certain parties on the recognition of and responses
21 to head trauma and brain injury in specified children;
22 removing obsolete language; amending s. 409.988, F.S.;
23 requiring lead agencies to provide certain individuals
24 with training on the recognition of and responses to
25 head trauma and brain injury in specified children;

26 | authorizing lead agencies to provide intensive family
 27 | reunification services that combine child welfare and
 28 | mental health services to certain families; amending
 29 | s. 409.996, F.S.; authorizing the department and
 30 | certain lead agencies to create and implement a
 31 | program to more effectively provide case management
 32 | services to specified children; providing criteria for
 33 | selecting judicial circuits for implementation of the
 34 | program; specifying requirements of the program;
 35 | requiring a report to the Legislature and Governor
 36 | under specified conditions; creating s. 943.17297,
 37 | F.S.; requiring the Criminal Justice Standards and
 38 | Training Commission to incorporate training for
 39 | specified purposes; requiring law enforcement officers
 40 | to complete such training as part of either basic
 41 | recruit training or continuing training or education
 42 | by a specified date; providing an effective date.

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 44 | Be It Enacted by the Legislature of the State of Florida:

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

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

49 | 25.385 Standards for instruction of circuit and county
 50 | court judges ~~in handling domestic violence cases.~~—

51 (1) The Florida Court Educational Council shall establish
 52 standards for instruction of circuit and county court judges who
 53 have responsibility for domestic violence cases, and the council
 54 shall provide such instruction on a periodic and timely basis.

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

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

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

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

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

68 39.0142 Notifying law enforcement officers of parent or
 69 caregiver names.—The Department of Law Enforcement shall provide
 70 information to a law enforcement officer stating whether a
 71 person is a parent or caregiver who is currently the subject of
 72 a child protective investigation for alleged child abuse,
 73 abandonment, or neglect or is a parent or caregiver of a child
 74 who has been allowed to return to or remain in the home under
 75 judicial supervision after an adjudication of dependency. This

76 information shall be provided via a Florida Crime Information
 77 Center query into the department's child protection database.

78 (1) All interactions between a law enforcement officer and
 79 a parent or caregiver as described in this section, shall be
 80 reported and details provided by the law enforcement officer to
 81 the central abuse hotline immediately after the interaction.

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

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

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

89 Section 4. Paragraph (b) of subsection (2) of section
 90 39.8296, Florida Statutes, is amended to read:

91 39.8296 Statewide Guardian Ad Litem Office; legislative
 92 findings and intent; creation; appointment of executive
 93 director; duties of office.—

94 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
 95 Statewide Guardian Ad Litem Office within the Justice
 96 Administrative Commission. The Justice Administrative Commission
 97 shall provide administrative support and service to the office
 98 to the extent requested by the executive director within the
 99 available resources of the commission. The Statewide Guardian Ad
 100 Litem Office shall not be subject to control, supervision, or

101 direction by the Justice Administrative Commission in the
102 performance of its duties, but the employees of the office shall
103 be governed by the classification plan and salary and benefits
104 plan approved by the Justice Administrative Commission.

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

109 1. The office shall identify the resources required to
110 implement methods of collecting, reporting, and tracking
111 reliable and consistent case data.

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

114 3. The office, in consultation with local guardian ad
115 litem offices, shall develop statewide performance measures and
116 standards.

117 4. The office shall develop a guardian ad litem training
118 program, which shall include, but not be limited to, training on
119 the recognition of and responses to head trauma and brain injury
120 in a child under 6 years of age. The office shall establish a
121 curriculum committee to develop the training program specified
122 in this subparagraph. The curriculum committee shall include,
123 but not be limited to, dependency judges, directors of circuit
124 guardian ad litem programs, active certified guardians ad litem,
125 a mental health professional who specializes in the treatment of

126 children, a member of a child advocacy group, a representative
127 of the Florida Coalition Against Domestic Violence, and a social
128 worker experienced in working with victims and perpetrators of
129 child abuse.

130 5. The office shall review the various methods of funding
131 guardian ad litem programs, shall maximize the use of those
132 funding sources to the extent possible, and shall review the
133 kinds of services being provided by circuit guardian ad litem
134 programs.

135 6. The office shall determine the feasibility or
136 desirability of new concepts of organization, administration,
137 financing, or service delivery designed to preserve the civil
138 and constitutional rights and fulfill other needs of dependent
139 children.

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

146 8. The office shall submit to the Governor, the President
147 of the Senate, the Speaker of the House of Representatives, and
148 the Chief Justice of the Supreme Court an interim report
149 describing the progress of the office in meeting the goals as
150 described in this section. The office shall submit to the

151 Governor, the President of the Senate, the Speaker of the House
152 of Representatives, and the Chief Justice of the Supreme Court a
153 proposed plan including alternatives for meeting the state's
154 guardian ad litem and attorney ad litem needs. This plan may
155 include recommendations for less than the entire state, may
156 include a phase-in system, and shall include estimates of the
157 cost of each of the alternatives. Each year the office shall
158 provide a status report and provide further recommendations to
159 address the need for guardian ad litem services and related
160 issues.

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

163 402.402 Child protection and child welfare personnel;
164 attorneys employed by the department.—

165 (2) SPECIALIZED TRAINING.—All child protective
166 investigators and child protective investigation supervisors
167 employed by the department or a sheriff's office must complete
168 the following specialized training:

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

171 (b) Training that is either focused on serving a specific
172 population, including, but not limited to, medically fragile
173 children, sexually exploited children, children under 3 years of
174 age, or families with a history of domestic violence, mental
175 illness, or substance abuse, or focused on performing certain

176 aspects of child protection practice, including, but not limited
177 to, investigation techniques and analysis of family dynamics.
178 The specialized training may be used to fulfill continuing
179 education requirements under s. 402.40(3)(e). Individuals hired
180 before July 1, 2014, shall complete the specialized training by
181 June 30, 2016, and individuals hired on or after July 1, 2014,
182 shall complete the specialized training within 2 years after
183 hire. An individual may receive specialized training in multiple
184 areas.

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

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

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

196 (c) Safety assessment, safety decisionmaking tools, and
197 safety plans. †

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

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

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

207 Section 6. Paragraph (f) of subsection (1) and subsection
208 (3) of section 409.988, Florida Statutes, are amended to read:

209 409.988 Lead agency duties; general provisions.—

210 (1) DUTIES.—A lead agency:

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

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

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

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

230 409.996 Duties of the Department of Children and
231 Families.—The department shall contract for the delivery,
232 administration, or management of care for children in the child
233 protection and child welfare system. In doing so, the department
234 retains responsibility for the quality of contracted services
235 and programs and shall ensure that services are delivered in
236 accordance with applicable federal and state statutes and
237 regulations.

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

243 (a) If the program is created, the department shall select
244 up to three judicial circuits in which to develop and implement
245 a program under this subsection, with priority given to a
246 circuit that has a high removal rate, significant case
247 management turnover rate, and the highest numbers of children in
248 out-of-home care or a significant increase in the number of
249 children in out-of-home care over the last 3 fiscal years.

250 (b) If the program is created, it shall:

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

255 2. Include case managers who are trained specifically in:
256 a. Critical child development for children under 6 years
257 of age.

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

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

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

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

270 (d) If the program is created, the department shall
271 evaluate the permanency, safety, and well-being of children
272 being served through the program and submit a report to the
273 Governor, the President of the Senate, and the Speaker of the
274 House of Representatives by October 1, 2024, detailing its
275 findings.

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

278 943.17297 Training in the recognition of and responses to
279 head trauma and brain injury.—The commission shall establish
280 standards for the instruction of law enforcement officers in the
281 subject of recognition of and responses to head trauma and brain
282 injury in a child from under 6 years of age to aid an officer in
283 the detection of head trauma and brain injury due to child
284 abuse. Each law enforcement officer must successfully complete
285 the training as part of the basic recruit training for a law
286 enforcement officer, as required under s. 943.13(9), or as a
287 part of continuing training or education required under s.
288 943.135(1) before July 1, 2021.

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