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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2019	.	
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The Committee on Children, Families, and Elder Affairs (Rouson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

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

(1) The Florida Court Educational Council shall establish



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

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

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

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

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

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

27 39.0142 Notifying law enforcement officers of parent or
28 caregiver names.—The Department of Law Enforcement shall provide
29 information to a law enforcement officer stating whether a
30 person is a parent or caregiver who is currently the subject of
31 a child protective investigation for alleged child abuse,
32 abandonment, or neglect or is a parent or caregiver of a child
33 who has been allowed to return to or remain in the home under
34 judicial supervision after an adjudication of dependency. This
35 information shall be provided via a Florida Crime Information
36 Center query into the department's child protection database.

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



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40 the central abuse hotline immediately after the interaction.

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

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

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

48 Section 4. Paragraph (b) of subsection (2) of section
49 39.8296, Florida Statutes, is amended to read:

50 39.8296 Statewide Guardian Ad Litem Office; legislative
51 findings and intent; creation; appointment of executive
52 director; duties of office.-

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

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

68 1. The office shall identify the resources required to



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

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

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

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

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

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



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98 children.

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

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

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

122 402.402 Child protection and child welfare personnel;
123 attorneys employed by the department.—

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



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127 the following specialized training:

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

130 (b) Training that is either focused on serving a specific
131 population, including, but not limited to, medically fragile
132 children, sexually exploited children, children under 3 years of
133 age, or families with a history of domestic violence, mental
134 illness, or substance abuse, or focused on performing certain
135 aspects of child protection practice, including, but not limited
136 to, investigation techniques and analysis of family dynamics.

137 The specialized training may be used to fulfill continuing
138 education requirements under s. 402.40(3)(e). Individuals hired
139 before July 1, 2014, shall complete the specialized training by
140 June 30, 2016, and individuals hired on or after July 1, 2014,
141 shall complete the specialized training within 2 years after
142 hire. An individual may receive specialized training in multiple
143 areas.

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

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

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

155 (c) Safety assessment, safety decisionmaking tools, and



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156 safety plans.~~†~~

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

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

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

166 Section 6. Paragraph (f) of subsection (1) and subsection
167 (3) of section 409.988, Florida Statutes, are amended to read:
168 409.988 Lead agency duties; general provisions.—

169 (1) DUTIES.—A lead agency:

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

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



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

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

189 409.996 Duties of the Department of Children and Families.-
190 The department shall contract for the delivery, administration,
191 or management of care for children in the child protection and
192 child welfare system. In doing so, the department retains
193 responsibility for the quality of contracted services and
194 programs and shall ensure that services are delivered in
195 accordance with applicable federal and state statutes and
196 regulations.

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

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

209 (b) The program shall:

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



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214 2. Include case managers who are trained specifically in:
215 a. Critical child development for children under 6 years of
216 age.

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

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

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

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

229 (d) The department shall evaluate the permanency, safety,
230 and well-being of children being served through the program and
231 submit a report to the Governor, the President of the Senate,
232 and the Speaker of the House of Representatives by October 1,
233 2024, detailing its findings.

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

236 943.17297 Training in the recognition of and responses to
237 head trauma and brain injury.—The commission shall establish
238 standards for the instruction of law enforcement officers in the
239 subject of recognition of and responses to head trauma and brain
240 injury in a child from under 6 years of age to aid an officer in
241 the detection of head trauma and brain injury due to child
242 abuse. By July 1, 2021, each law enforcement officer must



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243 successfully complete the training as part of the basic recruit
244 training for a law enforcement officer, as required under s.
245 943.13(9), or as a part of continuing training or education
246 required under s. 943.135(1).

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

248
249 ===== T I T L E A M E N D M E N T =====

250 And the title is amended as follows:

251 Delete everything before the enacting clause
252 and insert:

253 A bill to be entitled
254 An act relating to child welfare; providing a short
255 title; amending s. 25.385, F.S.; requiring the Florida
256 Court Educational Council to establish certain
257 standards for instruction of circuit and county court
258 judges for dependency cases; creating s. 39.0142,
259 F.S.; requiring the Department of Law Enforcement to
260 provide certain information to law enforcement
261 officers relating to specified individuals; providing
262 how such information shall be provided to law
263 enforcement officers; providing requirements for law
264 enforcement officers and the central abuse hotline
265 relating to specified interactions with certain
266 persons and how to relay details of such interactions;
267 amending s. 39.8296, F.S.; requiring that the guardian
268 ad litem training program include training on the
269 recognition of and responses to head trauma and brain
270 injury in children younger than a specified age;
271 amending s. 402.402, F.S.; requiring certain



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272 investigators, supervisors, and attorneys to complete
273 training on the recognition of and responses to head
274 trauma and brain injury in specified children;
275 amending s. 409.988, F.S.; requiring lead agencies to
276 provide certain individuals with training on the
277 recognition of and responses to head trauma and brain
278 injury in specified children; authorizing lead
279 agencies to provide intensive family reunification
280 services that combine child welfare and mental health
281 services to certain families; amending s. 409.996,
282 F.S.; requiring the department and certain lead
283 agencies to create and implement a program to more
284 effectively provide case management services to
285 specified children; providing criteria for selecting
286 judicial circuits for participation the program;
287 specifying requirements of the program; requiring the
288 Department of Children and families to evaluate the
289 effectiveness of the program and submit a report to
290 the Legislature and Governor by a specified date;
291 creating s. 943.17297, F.S.; requiring the Criminal
292 Justice Standards and Training Commission to
293 incorporate specified training for law enforcement
294 officers; requiring law enforcement officers, as of a
295 specified date, to successfully complete such training
296 as part of basic recruit training or continuing
297 training or education; providing an effective date.