



906584

576-04439-19

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Health and Human Services)

A bill to be entitled

An act relating to child welfare; providing a short title; amending s. 25.385, F.S.; requiring the Florida Court Educational Council to establish certain standards for instruction of circuit and county court judges for dependency cases; creating s. 39.0142, F.S.; requiring the Department of Law Enforcement to provide certain information to law enforcement officers relating to specified individuals, subject to an appropriation; providing how such information shall be provided to law enforcement officers; providing requirements for law enforcement officers and the central abuse hotline relating to specified interactions with certain persons and how to relay details of such interactions; amending s. 39.8296, F.S.; requiring that the guardian ad litem training program include training on the recognition of and responses to head trauma and brain injury in children younger than a specified age; amending s. 402.402, F.S.; requiring certain investigators, supervisors, and attorneys to complete training on the recognition of and responses to head trauma and brain injury in specified children; amending s. 409.988, F.S.; requiring lead agencies to provide certain individuals with training on the recognition of and responses to head trauma and brain injury in specified children; authorizing lead agencies to provide intensive family



906584

576-04439-19

28 reunification services that combine child welfare and
29 mental health services to certain families; amending
30 s. 409.996, F.S.; requiring the department and certain
31 lead agencies to create and implement a program to
32 more effectively provide case management services to
33 specified children, subject to an appropriation;
34 providing criteria for selecting judicial circuits for
35 participation the program; specifying requirements of
36 the program; requiring the Department of Children and
37 families to evaluate the effectiveness of the program
38 and submit a report to the Legislature and Governor by
39 a specified date; creating s. 943.17297, F.S.;
40 requiring the Criminal Justice Standards and Training
41 Commission to incorporate specified training for law
42 enforcement officers, subject to an appropriation;
43 requiring law enforcement officers, as of a specified
44 date, to successfully complete such training as part
45 of basic recruit training or continuing training or
46 education; providing an effective date.

47

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

49

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

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

53 25.385 Standards for instruction of circuit and county
54 court judges ~~in handling domestic violence cases.~~—

55 (1) The Florida Court Educational Council shall establish
56 standards for instruction of circuit and county court judges who



906584

576-04439-19

57 have responsibility for domestic violence cases, and the council
58 shall provide such instruction on a periodic and timely basis.

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

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

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

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

70 Section 3. Section 39.0142, Florida Statutes, is created to
71 read:

72 39.0142 Notifying law enforcement officers of parent or
73 caregiver names.—Subject to an appropriation, the Department of
74 Law Enforcement shall provide information to a law enforcement
75 officer stating whether a person is a parent or caregiver who is
76 currently the subject of a child protective investigation for
77 alleged child abuse, abandonment, or neglect or is a parent or
78 caregiver of a child who has been allowed to return to or remain
79 in the home under judicial supervision after an adjudication of
80 dependency. This information shall be provided via a Florida
81 Crime Information Center query into the department's child
82 protection database.

83 (1) If a law enforcement officer has an interaction with a
84 parent or caregiver as described in this section and the
85 interaction results in the officer having a concern about a



906584

576-04439-19

86 child's health, safety, or well-being, the law enforcement
87 officer shall report the relevant details of the interaction to
88 the central abuse hotline immediately after the interaction even
89 if the requirements of s. 39.201, relating to reporting of
90 knowledge or suspicion of abuse, abandonment, or neglect, are
91 not met.

92 (2) The central abuse hotline shall provide any relevant
93 information to:

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

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

99 Section 4. Paragraph (b) of subsection (2) of section
100 39.8296, Florida Statutes, is amended to read:

101 39.8296 Statewide Guardian Ad Litem Office; legislative
102 findings and intent; creation; appointment of executive
103 director; duties of office.-

104 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
105 Statewide Guardian Ad Litem Office within the Justice
106 Administrative Commission. The Justice Administrative Commission
107 shall provide administrative support and service to the office
108 to the extent requested by the executive director within the
109 available resources of the commission. The Statewide Guardian Ad
110 Litem Office shall not be subject to control, supervision, or
111 direction by the Justice Administrative Commission in the
112 performance of its duties, but the employees of the office shall
113 be governed by the classification plan and salary and benefits
114 plan approved by the Justice Administrative Commission.



906584

576-04439-19

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

119 1. The office shall identify the resources required to
120 implement methods of collecting, reporting, and tracking
121 reliable and consistent case data.

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

124 3. The office, in consultation with local guardian ad litem
125 offices, shall develop statewide performance measures and
126 standards.

127 4. The office shall develop a guardian ad litem training
128 program, which shall include, but not be limited to, training on
129 the recognition of and responses to head trauma and brain injury
130 in a child under 6 years of age. The office shall establish a
131 curriculum committee to develop the training program specified
132 in this subparagraph. The curriculum committee shall include,
133 but not be limited to, dependency judges, directors of circuit
134 guardian ad litem programs, active certified guardians ad litem,
135 a mental health professional who specializes in the treatment of
136 children, a member of a child advocacy group, a representative
137 of the Florida Coalition Against Domestic Violence, and a social
138 worker experienced in working with victims and perpetrators of
139 child abuse.

140 5. The office shall review the various methods of funding
141 guardian ad litem programs, shall maximize the use of those
142 funding sources to the extent possible, and shall review the
143 kinds of services being provided by circuit guardian ad litem



906584

576-04439-19

144 programs.

145 6. The office shall determine the feasibility or
146 desirability of new concepts of organization, administration,
147 financing, or service delivery designed to preserve the civil
148 and constitutional rights and fulfill other needs of dependent
149 children.

150 7. In an effort to promote normalcy and establish trust
151 between a court-appointed volunteer guardian ad litem and a
152 child alleged to be abused, abandoned, or neglected under this
153 chapter, a guardian ad litem may transport a child. However, a
154 guardian ad litem volunteer may not be required or directed by
155 the program or a court to transport a child.

156 8. The office shall submit to the Governor, the President
157 of the Senate, the Speaker of the House of Representatives, and
158 the Chief Justice of the Supreme Court an interim report
159 describing the progress of the office in meeting the goals as
160 described in this section. The office shall submit to the
161 Governor, the President of the Senate, the Speaker of the House
162 of Representatives, and the Chief Justice of the Supreme Court a
163 proposed plan including alternatives for meeting the state's
164 guardian ad litem and attorney ad litem needs. This plan may
165 include recommendations for less than the entire state, may
166 include a phase-in system, and shall include estimates of the
167 cost of each of the alternatives. Each year the office shall
168 provide a status report and provide further recommendations to
169 address the need for guardian ad litem services and related
170 issues.

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



906584

576-04439-19

173 402.402 Child protection and child welfare personnel;
174 attorneys employed by the department.—

175 (2) SPECIALIZED TRAINING.—All child protective
176 investigators and child protective investigation supervisors
177 employed by the department or a sheriff's office must complete
178 the following specialized training:

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

181 (b) Training that is either focused on serving a specific
182 population, including, but not limited to, medically fragile
183 children, sexually exploited children, children under 3 years of
184 age, or families with a history of domestic violence, mental
185 illness, or substance abuse, or focused on performing certain
186 aspects of child protection practice, including, but not limited
187 to, investigation techniques and analysis of family dynamics.
188 The specialized training may be used to fulfill continuing
189 education requirements under s. 402.40(3)(e). Individuals hired
190 before July 1, 2014, shall complete the specialized training by
191 June 30, 2016, and individuals hired on or after July 1, 2014,
192 shall complete the specialized training within 2 years after
193 hire. An individual may receive specialized training in multiple
194 areas.

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

200 (a) The dependency court process, including the attorney's
201 role in preparing and reviewing documents prepared for



906584

576-04439-19

202 dependency court for accuracy and completeness.~~†~~

203 (b) Preparing and presenting child welfare cases, including
204 at least 1 week shadowing an experienced children's legal
205 services attorney preparing and presenting cases.~~†~~

206 (c) Safety assessment, safety decisionmaking tools, and
207 safety plans.~~†~~

208 (d) Developing information presented by investigators and
209 case managers to support decisionmaking in the best interest of
210 children.~~†~~ ~~and~~

211 (e) The experiences and techniques of case managers and
212 investigators, including shadowing an experienced child
213 protective investigator and an experienced case manager for at
214 least 8 hours.

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

217 Section 6. Paragraph (f) of subsection (1) and subsection
218 (3) of section 409.988, Florida Statutes, are amended to read:
219 409.988 Lead agency duties; general provisions.-

220 (1) DUTIES.-A lead agency:

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

227 (3) SERVICES.-A lead agency must provide dependent children
228 with services that are supported by research or that are
229 recognized as best practices in the child welfare field. The
230 agency shall give priority to the use of services that are



906584

576-04439-19

231 evidence-based and trauma-informed and may also provide other
232 innovative services, including, but not limited to, family-
233 centered and cognitive-behavioral interventions designed to
234 mitigate out-of-home placements and intensive family
235 reunification services that combine child welfare and mental
236 health services for families with dependent children under 6
237 years of age.

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

240 409.996 Duties of the Department of Children and Families.-
241 The department shall contract for the delivery, administration,
242 or management of care for children in the child protection and
243 child welfare system. In doing so, the department retains
244 responsibility for the quality of contracted services and
245 programs and shall ensure that services are delivered in
246 accordance with applicable federal and state statutes and
247 regulations.

248 (24) Subject to an appropriation, the department, in
249 collaboration with the lead agencies serving the judicial
250 circuits selected in paragraph (a), may create and implement a
251 program to more effectively provide case management services for
252 dependent children under 6 years of age.

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



906584

576-04439-19

260 (b) The program shall:
261 1. Include caseloads for dependency case managers comprised
262 solely of children who are under 6 years of age, except as
263 provided in paragraph (c). The maximum caseload for a case
264 manager shall be no more than 15 children if possible.
265 2. Include case managers who are trained specifically in:
266 a. Critical child development for children under 6 years of
267 age.
268 b. Specific practices of child care for children under 6
269 years of age.
270 c. The scope of community resources available to children
271 under 6 years of age.
272 d. Working with a parent or caregiver and assisting him or
273 her in developing the skills necessary to care for the health,
274 safety, and well-being of a child under 6 years of age.
275 (c) If a child being served through the program has a
276 dependent sibling, the sibling may be assigned to the same case
277 manager as the child being served through the program; however,
278 each sibling counts toward the case manager's maximum caseload
279 as provided under paragraph (b).
280 (d) The department shall evaluate the permanency, safety,
281 and well-being of children being served through the program and
282 submit a report to the Governor, the President of the Senate,
283 and the Speaker of the House of Representatives by October 1,
284 2024, detailing its findings.
285 Section 8. Section 943.17297, Florida Statutes, is created
286 to read:
287 943.17297 Training in the recognition of and responses to
288 head trauma and brain injury.—Subject to an appropriation, the



906584

576-04439-19

289 commission shall establish standards for the instruction of law
290 enforcement officers in the subject of recognition of and
291 responses to head trauma and brain injury in a child from under
292 6 years of age to aid an officer in the detection of head trauma
293 and brain injury due to child abuse. By July 1, 2021, each law
294 enforcement officer must successfully complete the training as
295 part of the basic recruit training for a law enforcement
296 officer, as required under s. 943.13(9), or as a part of
297 continuing training or education required under s. 943.135(1).

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