

By Senator Rouson

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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; deleting the definition
7 of the term "family or household member"; creating s.
8 39.0142, F.S.; requiring the Department of Law
9 Enforcement to provide to law enforcement officers
10 certain information relating to specified individuals;
11 providing how such information shall be provided to
12 law enforcement officers; requiring law enforcement
13 officers and the central abuse hotline to follow
14 certain procedures relating to specified interactions
15 with certain persons and how to relay details of such
16 interactions; amending s. 39.8296, F.S.; requiring
17 that the guardian ad litem training program include
18 training on the recognition of and responses to head
19 trauma and brain injury in specified children;
20 amending s. 402.402, F.S.; requiring certain entities
21 to provide training to certain parties on the
22 recognition of and responses to head trauma and brain
23 injury in specified children; amending s. 409.988,
24 F.S.; requiring lead agencies to provide certain
25 individuals with training on the recognition of and
26 responses to head trauma and brain injury in specified
27 children; authorizing lead agencies to provide
28 intensive family reunification services that combine
29 child welfare and mental health services to certain

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30 families; amending s. 409.996, F.S.; authorizing the
 31 department and certain lead agencies to create and
 32 implement a program to more effectively provide case
 33 management services for specified children; providing
 34 criteria for selecting judicial circuits for
 35 implementation of the program; specifying requirements
 36 of the program; requiring a report to the Legislature
 37 and Governor under specified conditions; creating s.
 38 943.17298, F.S.; requiring the Criminal Justice
 39 Standards and Training Commission to incorporate
 40 training for specified purposes; requiring law
 41 enforcement officers to complete such training as part
 42 of either basic recruit training or continuing
 43 training or education by a specified date; providing
 44 an effective date.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 Section 1. This act may be cited as "Jordan's Law."

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

51 25.385 Standards for instruction of circuit and county
 52 court judges ~~in handling domestic violence cases.~~

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

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

58 ~~(a)~~ the term "domestic violence" has the meaning set forth

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59 in s. 741.28.

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

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

68 Section 3. Section 39.0142, Florida Statutes, is created to
69 read:

70 39.0142 Notifying law enforcement officers of parent or
71 caregiver names.—The Department of Law Enforcement shall provide
72 to a law enforcement officer information stating whether a
73 person is a parent or caregiver who is currently the subject of
74 a child protective investigation for alleged child abuse,
75 abandonment, or neglect or is a parent or caregiver of a child
76 who has been allowed to return to or remain in the home under
77 judicial supervision after an adjudication of dependency. This
78 information shall be provided via a Florida Crime Information
79 Center query into the department's child protection database.

80 (1) If a law enforcement officer has an interaction with a
81 parent or caregiver as described in this section and the
82 interaction results in the officer having concern about a
83 child's health, safety, or well-being, the officer shall report
84 relevant details of the interaction to the central abuse hotline
85 immediately after the interaction even if the requirements of s.
86 39.201, relating to a person having actual knowledge or
87 suspicion of abuse, abandonment, or neglect, are not met.

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88 (2) The central abuse hotline shall provide any relevant
89 information to:

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

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

95 Section 4. Paragraph (b) of subsection (2) of section
96 39.8296, Florida Statutes, is amended to read:

97 39.8296 Statewide Guardian Ad Litem Office; legislative
98 findings and intent; creation; appointment of executive
99 director; duties of office.—

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

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

115 1. The office shall identify the resources required to
116 implement methods of collecting, reporting, and tracking

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117 reliable and consistent case data.

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

120 3. The office, in consultation with local guardian ad litem
121 offices, shall develop statewide performance measures and
122 standards.

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

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

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

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

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

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

169 402.402 Child protection and child welfare personnel;
170 attorneys employed by the department.-

171 (2) SPECIALIZED TRAINING.-All child protective
172 investigators and child protective investigation supervisors
173 employed by the department or a sheriff's office must complete
174 the following specialized training:

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

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

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

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

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

202 (c) Safety assessment, safety decisionmaking tools, and
203 safety plans.†

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204 (d) Developing information presented by investigators and
205 case managers to support decisionmaking in the best interest of
206 children.~~;~~~~and~~

207 (e) The experiences and techniques of case managers and
208 investigators, including shadowing an experienced child
209 protective investigator and an experienced case manager for at
210 least 8 hours.

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

213 Section 6. Paragraph (f) of subsection (1) and subsection
214 (3) of section 409.988, Florida Statutes, are amended to read:
215 409.988 Lead agency duties; general provisions.—

216 (1) DUTIES.—A lead agency:

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

223 (3) SERVICES.—A lead agency must provide dependent children
224 with services that are supported by research or that are
225 recognized as best practices in the child welfare field. The
226 agency shall give priority to the use of services that are
227 evidence-based and trauma-informed and may also provide other
228 innovative services, including, but not limited to, family-
229 centered and cognitive-behavioral interventions designed to
230 mitigate out-of-home placements and intensive family
231 reunification services that combine child welfare and mental
232 health services for families with dependent children under 6

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233 years of age.

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

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

244 (24) The department, in collaboration with the lead
245 agencies serving the judicial circuits selected in paragraph
246 (a), may create and implement a program to more effectively
247 provide case management services for dependent children under 6
248 years of age.

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

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

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

261 2. Include case managers who are trained specifically in:

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262 a. Critical child development for children under 6 years of
263 age.

264 b. Specific practices of child care for children under 6
265 years of age.

266 c. The scope of community resources available to children
267 under 6 years of age.

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

271 (c) If a child being served through the program has a
272 dependent sibling, the sibling may be assigned to the same case
273 manager as the child being served through the program; however,
274 each sibling counts toward the case manager's maximum caseload
275 as provided under paragraph (b).

276 (d) If the program is created, the department shall
277 evaluate the permanency, safety, and well-being of children
278 being served through the program and submit a report to the
279 Governor, the President of the Senate, and the Speaker of the
280 House of Representatives by October 1, 2025, detailing its
281 findings.

282 Section 8. Section 943.17298, Florida Statutes, is created
283 to read:

284 943.17298 Training in the recognition of and responses to
285 head trauma and brain injury.—The commission shall establish
286 standards for the instruction of law enforcement officers in the
287 subject of recognition of and responses to head trauma and brain
288 injury in a child under 6 years of age to aid an officer in the
289 detection of head trauma and brain injury due to child abuse.
290 Each law enforcement officer must successfully complete the

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291 training as part of the basic recruit training for a law
292 enforcement officer, as required under s. 943.13(9), or as a
293 part of continuing training or education required under s.
294 943.135(1) before July 1, 2022.

295 Section 9. This act shall take effect July 1, 2020.