

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. 39.820, F.S.; revising the definition of  
16          the term "guardian ad litem;" amending s. 39.8296,  
17          F.S.; requiring that the guardian ad litem training  
18          program include training on the recognition of and  
19          responses to head trauma and brain injury in specified  
20          children; revising the membership of the Statewide  
21          Guardian Ad Litem Curriculum Committee; amending s.  
22          402.402, F.S.; requiring certain entities to provide  
23          training to certain parties on the recognition of and  
24          responses to head trauma and brain injury in specified  
25          children; amending s. 409.988, F.S.; requiring lead

26 agencies to provide certain individuals with training  
 27 on the recognition of and responses to head trauma and  
 28 brain injury in specified children; authorizing lead  
 29 agencies to provide intensive family reunification  
 30 services that combine child welfare and mental health  
 31 services to certain families; amending s. 409.996,  
 32 F.S.; authorizing the Department of Children and  
 33 Families and certain lead agencies to create and  
 34 implement a program to more effectively provide case  
 35 management services to specified children; providing  
 36 criteria for selecting judicial circuits for  
 37 implementation of the program; specifying requirements  
 38 of the program; requiring a report to the Legislature  
 39 and Governor under specified conditions; creating s.  
 40 943.17298, F.S.; requiring the Criminal Justice  
 41 Standards and Training Commission to incorporate  
 42 training for specified purposes; requiring law  
 43 enforcement officers to complete such training as part  
 44 of either basic recruit training or continuing  
 45 training or education by a specified date; providing  
 46 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  
 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  
 71 to read:

72 39.0142 Notifying law enforcement officers of parent or  
 73 caregiver names.—The Department of Law Enforcement shall provide  
 74 information to a law enforcement officer stating whether a  
 75 person is a parent or caregiver who is currently the subject of

76 | a child protective investigation for alleged child abuse,  
 77 | abandonment, or neglect or is a parent or caregiver of a child  
 78 | who has been allowed to return to or remain in the home under  
 79 | judicial supervision after an adjudication of dependency. This  
 80 | information shall be provided via a Florida Crime Information  
 81 | Center query into the department's child protection database.

82 | (1) If a law enforcement officer has an interaction with a  
 83 | parent or caregiver as described in this section and the  
 84 | interaction results in the officer having concern about a  
 85 | child's health, safety, or well-being, the officer shall report  
 86 | relevant details of the interaction to the central abuse hotline  
 87 | immediately after the interaction even if the requirements of s.  
 88 | 39.201, relating to a person having actual knowledge or  
 89 | suspicion of abuse, abandonment, or neglect, are not met.

90 | (2) The central abuse hotline shall provide any relevant  
 91 | information to:

92 | (a) The child protective investigator, if the parent or  
 93 | caregiver is the subject of a child protective investigation; or

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

97 | Section 4. Section 39.820, Florida Statutes, is amended to  
 98 | read:

99 | 39.820 Definitions.—As used in this chapter part, the  
 100 | term:

101 (1) "Guardian ad litem" as referred to in any civil or  
 102 criminal proceeding includes the following: the Statewide  
 103 Guardian Ad Litem Office, which includes circuit a-certified  
 104 guardian ad litem programs; program, a duly certified volunteer,  
 105 a staff member, a staff attorney, a contract attorney, or a  
 106 ~~certified~~ pro bono attorney working on behalf of a guardian ad  
 107 litem ~~or the program; staff members of a program office;~~ a  
 108 court-appointed attorney; or a responsible adult who is  
 109 appointed by the court to represent the best interests of a  
 110 child in a proceeding as provided for by law, including, but not  
 111 limited to, this chapter, who is a party to any judicial  
 112 proceeding as a representative of the child, and who serves  
 113 until discharged by the court.

114 (2) "Guardian advocate" means a person appointed by the  
 115 court to act on behalf of a drug dependent newborn under  
 116 ~~pursuant to the provisions of~~ this part.

117 Section 5. Paragraph (b) of subsection (2) of section  
 118 39.8296, Florida Statutes, is amended to read:

119 39.8296 Statewide Guardian Ad Litem Office; legislative  
 120 findings and intent; creation; appointment of executive  
 121 director; duties of office.-

122 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a  
 123 Statewide Guardian Ad Litem Office within the Justice  
 124 Administrative Commission. The Justice Administrative Commission  
 125 shall provide administrative support and service to the office

126 to the extent requested by the executive director within the  
127 available resources of the commission. The Statewide Guardian Ad  
128 Litem Office is ~~shall~~ not be subject to control, supervision, or  
129 direction by the Justice Administrative Commission in the  
130 performance of its duties, but the employees of the office are  
131 ~~shall be~~ governed by the classification plan and salary and  
132 benefits plan approved by the Justice Administrative Commission.

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

137 1. The office shall identify the resources required to  
138 implement methods of collecting, reporting, and tracking  
139 reliable and consistent case data.

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

142 3. The office, in consultation with local guardian ad  
143 litem offices, shall develop statewide performance measures and  
144 standards.

145 4. The office shall develop a guardian ad litem training  
146 program, which shall include, but not be limited to, training on  
147 the recognition of and responses to head trauma and brain injury  
148 in a child under 6 years of age. The office shall establish a  
149 curriculum committee to develop the training program specified  
150 in this subparagraph. The curriculum committee shall include,

151 but not be limited to, dependency judges, directors of circuit  
152 guardian ad litem programs, active certified guardians ad litem,  
153 a mental health professional who specializes in the treatment of  
154 children, a member of a child advocacy group, a representative  
155 of a domestic violence advocacy group ~~the Florida Coalition~~  
156 ~~Against Domestic Violence~~, and a social worker experienced in  
157 working with victims and perpetrators of child abuse.

158 5. The office shall review the various methods of funding  
159 guardian ad litem programs, ~~shall~~ maximize the use of those  
160 funding sources to the extent possible, and ~~shall~~ review the  
161 kinds of services being provided by circuit guardian ad litem  
162 programs.

163 6. The office shall determine the feasibility or  
164 desirability of new concepts of organization, administration,  
165 financing, or service delivery designed to preserve the civil  
166 and constitutional rights and fulfill other needs of dependent  
167 children.

168 7. In an effort to promote normalcy and establish trust  
169 between a court-appointed volunteer guardian ad litem and a  
170 child alleged to be abused, abandoned, or neglected under this  
171 chapter, a guardian ad litem may transport a child. However, a  
172 guardian ad litem volunteer may not be required or directed by  
173 the program or a court to transport a child.

174 8. The office shall submit to the Governor, the President  
175 of the Senate, the Speaker of the House of Representatives, and

176 the Chief Justice of the Supreme Court an interim report  
177 describing the progress of the office in meeting the goals as  
178 described in this section. The office shall submit to the  
179 Governor, the President of the Senate, the Speaker of the House  
180 of Representatives, and the Chief Justice of the Supreme Court a  
181 proposed plan including alternatives for meeting the state's  
182 guardian ad litem and attorney ad litem needs. This plan may  
183 include recommendations for less than the entire state, may  
184 include a phase-in system, and shall include estimates of the  
185 cost of each of the alternatives. Each year the office shall  
186 provide a status report and provide further recommendations to  
187 address the need for guardian ad litem services and related  
188 issues.

189 Section 6. Subsections (2) and (4) of section 402.402,  
190 Florida Statutes, are amended to read:

191 402.402 Child protection and child welfare personnel;  
192 attorneys employed by the department.—

193 (2) SPECIALIZED TRAINING.—All child protective  
194 investigators and child protective investigation supervisors  
195 employed by the department or a sheriff's office must complete  
196 the following specialized training:

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

199 (b) Training that is either focused on serving a specific  
200 population, including, but not limited to, medically fragile

201 children, sexually exploited children, children under 3 years of  
 202 age, or families with a history of domestic violence, mental  
 203 illness, or substance abuse, or focused on performing certain  
 204 aspects of child protection practice, including, but not limited  
 205 to, investigation techniques and analysis of family dynamics.  
 206

207 The specialized training may be used to fulfill continuing  
 208 education requirements under s. 402.40(3)(e). Individuals hired  
 209 before July 1, 2014, shall complete the specialized training by  
 210 June 30, 2016, and individuals hired on or after July 1, 2014,  
 211 shall complete the specialized training within 2 years after  
 212 hire. An individual may receive specialized training in multiple  
 213 areas.

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

219 (a) The dependency court process, including the attorney's  
 220 role in preparing and reviewing documents prepared for  
 221 dependency court for accuracy and completeness.~~†~~

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

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

226 safety plans.~~;~~

227 (d) Developing information presented by investigators and  
 228 case managers to support decisionmaking in the best interest of  
 229 children.~~;~~ ~~and~~

230 (e) The experiences and techniques of case managers and  
 231 investigators, including shadowing an experienced child  
 232 protective investigator and an experienced case manager for at  
 233 least 8 hours.

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

236 Section 7. Paragraph (f) of subsection (1) and subsection  
 237 (3) of section 409.988, Florida Statutes, are amended to read:

238 409.988 Lead agency duties; general provisions.—

239 (1) DUTIES.—A lead agency:

240 (f) Shall ensure that all individuals providing care for  
 241 dependent children receive appropriate training and meet the  
 242 minimum employment standards established by the department.

243 Appropriate training shall include, but is not limited to,  
 244 training on the recognition of and responses to head trauma and  
 245 brain injury in a child under 6 years of age.

246 (3) SERVICES.—A lead agency must provide dependent  
 247 children with services that are supported by research or that  
 248 are recognized as best practices in the child welfare field. The  
 249 agency shall give priority to the use of services that are  
 250 evidence-based and trauma-informed and may also provide other

251 innovative services, including, but not limited to, family-  
252 centered and cognitive-behavioral interventions designed to  
253 mitigate out-of-home placements and intensive family  
254 reunification services that combine child welfare and mental  
255 health services for families with dependent children under 6  
256 years of age.

257 Section 8. Subsection (24) is added to section 409.996,  
258 Florida Statutes, to read:

259 409.996 Duties of the Department of Children and  
260 Families.—The department shall contract for the delivery,  
261 administration, or management of care for children in the child  
262 protection and child welfare system. In doing so, the department  
263 retains responsibility for the quality of contracted services  
264 and programs and shall ensure that services are delivered in  
265 accordance with applicable federal and state statutes and  
266 regulations.

267 (24) The department in collaboration with the lead  
268 agencies serving the judicial circuits selected in paragraph (a)  
269 may create and implement a program to more effectively provide  
270 case management services for dependent children under 6 years of  
271 age.

272 (a) If the program is created, the department shall select  
273 up to three judicial circuits in which to develop and implement  
274 a program under this subsection, with priority given to a  
275 circuit that has a high removal rate, significant case

276 management turnover rate, and the highest numbers of children in  
277 out-of-home care or a significant increase in the number of  
278 children in out-of-home care over the last 3 fiscal years.

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

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

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

285 a. Critical child development for children under 6 years  
286 of age.

287 b. Specific practices of child care for children under 6  
288 years of age.

289 c. The scope of community resources available to children  
290 under 6 years of age.

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

294 (c) If a child being served through the program has a  
295 dependent sibling, the sibling may be assigned to the same case  
296 manager as the child being served through the program; however,  
297 each sibling counts toward the case manager's maximum caseload  
298 as provided under paragraph (b).

299 (d) If the program is created, the department shall  
300 evaluate the permanency, safety, and well-being of children

301 being served through the program and submit a report to the  
302 Governor, the President of the Senate, and the Speaker of the  
303 House of Representatives by October 1, 2025, detailing its  
304 findings.

305 Section 9. Section 943.17298, Florida Statutes, is created  
306 to read:

307 943.17298 Training in the recognition of and responses to  
308 head trauma and brain injury.—The commission shall establish  
309 standards for the instruction of law enforcement officers in the  
310 subject of recognition of and responses to head trauma and brain  
311 injury in a child under 6 years of age to aid an officer in the  
312 detection of head trauma and brain injury due to child abuse.  
313 Each law enforcement officer must successfully complete the  
314 training as part of the basic recruit training for a law  
315 enforcement officer, as required under s. 943.13(9), or as a  
316 part of continuing training or education required under s.  
317 943.135(1) before July 1, 2022.

318 Section 10. This act shall take effect July 1, 2020.