

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 amending s. 409.988, F.S.; requiring lead agencies to
23 provide certain individuals with training on the
24 recognition of and responses to head trauma and brain
25 injury in specified children; authorizing lead

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

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

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 47 Section 1. This act may be cited as "Jordan's Law."
 48 Section 2. Section 25.385, Florida Statutes, is amended to
 49 read:
 50 25.385 Standards for instruction of circuit and county

51 | court judges ~~in handling domestic violence cases.~~

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

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

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

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

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

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

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

76 judicial supervision after an adjudication of dependency. This
 77 information shall be provided via a Florida Crime Information
 78 Center query into the department's child protection database.

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

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

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

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

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

96 39.8296 Statewide Guardian Ad Litem Office; legislative
 97 findings and intent; creation; appointment of executive
 98 director; duties of office.—

99 (2) STATEWIDE GUARDIAN AD LITEM OFFICE.—There is created a
 100 Statewide Guardian Ad Litem Office within the Justice

101 Administrative Commission. The Justice Administrative Commission
102 shall provide administrative support and service to the office
103 to the extent requested by the executive director within the
104 available resources of the commission. The Statewide Guardian Ad
105 Litem Office is ~~shall~~ not ~~be~~ subject to control, supervision, or
106 direction by the Justice Administrative Commission in the
107 performance of its duties, but the employees of the office are
108 ~~shall be~~ governed by the classification plan and salary and
109 benefits plan approved by the Justice Administrative Commission.

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

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

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

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

122 4. The office shall develop a guardian ad litem training
123 program, which shall include, but not be limited to, training on
124 the recognition of and responses to head trauma and brain injury
125 in a child under 6 years of age. The office shall establish a

126 curriculum committee to develop the training program specified
127 in this subparagraph. The curriculum committee shall include,
128 but not be limited to, dependency judges, directors of circuit
129 guardian ad litem programs, active certified guardians ad litem,
130 a mental health professional who specializes in the treatment of
131 children, a member of a child advocacy group, a representative
132 of the Florida Coalition Against Domestic Violence, and a social
133 worker experienced in working with victims and perpetrators of
134 child abuse.

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

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

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

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

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

168 402.402 Child protection and child welfare personnel;
169 attorneys employed by the department.—

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

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

176 (b) Training that is either focused on serving a specific
177 population, including, but not limited to, medically fragile
178 children, sexually exploited children, children under 3 years of
179 age, or families with a history of domestic violence, mental
180 illness, or substance abuse, or focused on performing certain
181 aspects of child protection practice, including, but not limited
182 to, investigation techniques and analysis of family dynamics.
183

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,
200 including at least 1 week shadowing an experienced children's

201 legal services attorney preparing and presenting cases.~~†~~

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

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
 224 children with services that are supported by research or that
 225 are 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
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
237 Families.—The department shall contract for the delivery,
238 administration, or management of care for children in the child
239 protection and child welfare system. In doing so, the department
240 retains responsibility for the quality of contracted services
241 and 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 (a)
246 may create and implement a program to more effectively provide
247 case management services for dependent children under 6 years of
248 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
258 comprised solely of children who are under 6 years of age,
259 except as provided in paragraph (c). The maximum caseload for a
260 case manager shall be no more than 15 children if possible.

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

262 a. Critical child development for children under 6 years
263 of 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 from under 6 years of age to aid an officer in
289 the detection of head trauma and brain injury due to child
290 abuse. Each law enforcement officer must successfully complete
291 the 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.