

**By** the Committee on Children, Families, and Elder Affairs; and  
Senators Rouson, Berman, and Perry

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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; 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 children younger than a specified age;  
19      amending s. 402.402, F.S.; requiring certain  
20      investigators, supervisors, and attorneys to complete  
21      training on the recognition of and responses to head  
22      trauma and brain injury in specified children;  
23      amending s. 409.988, F.S.; requiring lead agencies to  
24      provide certain individuals with training on the  
25      recognition of and responses to head trauma and brain  
26      injury in specified children; authorizing lead  
27      agencies to provide intensive family reunification  
28      services that combine child welfare and mental health  
29      services to certain families; amending s. 409.996,

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

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

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

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

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

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

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

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

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

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

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

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

81       (1) If a law enforcement officer has an interaction with a  
82 parent or caregiver as described in this section and the  
83 interaction results in the officer having a concern about a  
84 child's health, safety, or well-being, the law enforcement  
85 officer shall report the relevant details of the interaction to  
86 the central abuse hotline immediately after the interaction even  
87 if the requirements of s. 39.201, relating to reporting of

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88 knowledge or suspicion of abuse, abandonment, or neglect, are  
89 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. Paragraph (b) of subsection (2) of section  
98 39.8296, Florida Statutes, is amended to read:

99 39.8296 Statewide Guardian Ad Litem Office; legislative  
100 findings and intent; creation; appointment of executive  
101 director; duties of office.-

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

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

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

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

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

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

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

143 6. The office shall determine the feasibility or  
144 desirability of new concepts of organization, administration,  
145 financing, or service delivery designed to preserve the civil

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146 and constitutional rights and fulfill other needs of dependent  
147 children.

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

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

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

171 402.402 Child protection and child welfare personnel;  
172 attorneys employed by the department.-

173 (2) SPECIALIZED TRAINING.-All child protective  
174 investigators and child protective investigation supervisors

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175 employed by the department or a sheriff's office must complete  
176 the following specialized training:

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

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

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

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

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

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204 (c) Safety assessment, safety decisionmaking tools, and  
205 safety plans.~~†~~

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

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

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

215 Section 6. Paragraph (f) of subsection (1) and subsection  
216 (3) of section 409.988, Florida Statutes, are amended to read:

217 409.988 Lead agency duties; general provisions.—

218 (1) DUTIES.—A lead agency:

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

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

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233 reunification services that combine child welfare and mental  
234 health services for families with dependent children under 6  
235 years of age.

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

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

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

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

258 (b) The program shall:

259 1. Include caseloads for dependency case managers comprised  
260 solely of children who are under 6 years of age, except as  
261 provided in paragraph (c). The maximum caseload for a case

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262 manager shall be no more than 15 children if possible.

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

264 a. Critical child development for children under 6 years of  
265 age.

266 b. Specific practices of child care for children under 6  
267 years of age.

268 c. The scope of community resources available to children  
269 under 6 years of age.

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

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

278 (d) The department shall evaluate the permanency, safety,  
279 and well-being of children being served through the program and  
280 submit a report to the Governor, the President of the Senate,  
281 and the Speaker of the House of Representatives by October 1,  
282 2024, detailing its findings.

283 Section 8. Section 943.17297, Florida Statutes, is created  
284 to read:

285 943.17297 Training in the recognition of and responses to  
286 head trauma and brain injury.—The commission shall establish  
287 standards for the instruction of law enforcement officers in the  
288 subject of recognition of and responses to head trauma and brain  
289 injury in a child from under 6 years of age to aid an officer in  
290 the detection of head trauma and brain injury due to child

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291 abuse. By July 1, 2021, each law enforcement officer must  
292 successfully complete the training as part of the basic recruit  
293 training for a law enforcement officer, as required under s.  
294 943.13(9), or as a part of continuing training or education  
295 required under s. 943.135(1).

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