



State of Florida
Department of Children and Families

Ron DeSantis
Governor

Shevaun L. Harris
Secretary

DATE: June 15, 2021

TO: Regional Managing Directors
Community-Based Care Lead Agency CEOs
Sheriff's Offices Conducting Child Protective Investigations

THROUGH: Taylor Hatch, Deputy Secretary *Taylor Hatch*

FROM: Stefanie Camfield, Assistant Secretary for Child Welfare *Stefanie Camfield*
Robert Anderson, Assistant Secretary for Operations *Robert H. Anderson*

SUBJECT: CFOP 170-1, Chapter 11: Investigations Involving an Ongoing Case

PURPOSE: The purpose of this memorandum is to provide notification of updates to CFOP 170-1, Chapter 11, Investigations Involving an Ongoing Case which incorporates Chapter 2020-138, Laws of Florida, authorizing the department to file specified petitions under certain circumstances and requiring the department to notify the court of certain reports.

BACKGROUND: With the passage of Chapter 2020-138, Laws of Florida (House Bill 1105), s. 39.301, Florida Statutes, subsection (1) and paragraph (a) of subsection (9) were amended. The statute now states the department shall promptly notify the court of any report to the central abuse hotline that is accepted for a protective investigation and involves a child over whom the court has jurisdiction. Also, the department may file a petition for shelter or dependency without a new child protective investigation or the concurrence of the child protective investigator if the child is unsafe requiring a safety plan, and the parent or caregiver has not sufficiently increased protective capacities within 90 days after the transfer of the safety plan to the lead agency. The department has an existing operating procedure, CFOP 170-1, Chapter 11, that outlines investigations involving an ongoing case; Chapter 11 has been updated to incorporate the changes to statute.

NEW INFORMATION: The updated CFOP 170-1, Chapter 11, outlines guidance for court notification on investigations that involve children in open dependency cases and cases where the court retained jurisdiction. Additional language has been added to specify when the department may file a petition for shelter or dependency without a new investigation or the concurrence of a child protective investigator. Furthermore, language was added to clarify when a multidisciplinary team (MDT) staffing must occur and who should participate.

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Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

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ACTION REQUIRED: Please share this memorandum with all Child Protective Investigators, sheriff offices that conduct child protective investigations, case management, and others as appropriate.

CONTACT INFORMATION: If you have any questions regarding these procedures, please contact Letitia McClellan, Operations Review Specialist, Letitia.McClellan@myffamilies.com or 850-717-4353.

cc: Regional Family and Community Services Directors
Grainne O'Sullivan, Director of Children's Legal Services
The Center for Child Welfare

Chapter 11

INVESTIGATIONS INVOLVING AN ONGOING CASE

11-1. Coordination with Case Management. In an ongoing services case, a new investigation must be thoughtfully coordinated between the case manager assigned to work with the family and Children's Legal Services (CLS).

a. While the Child Protective Investigator (CPI) will be fully responsible for information collection analysis, and safety determinations, there must be collaboration and teamwork with the case manager. There must be concerted efforts by the CPI and case manager to ensure that information already known is shared and that new information is collected and assessed.

b. The CPI must **immediately** contact the case manager when a new report comes in on an ongoing services case. To the extent practical, the CPI will contact the assigned case manager prior to commencement and attempt to schedule a joint home visit to conduct face-to-face interviews with the parents and children.

c. The CPI shall immediately notify the assigned CLS attorney when a new intake is received on a child over whom the court has jurisdiction. The Department shall promptly notify the court of any report to the Florida Abuse Hotline that is accepted for protective investigation and involves a child over whom the court has jurisdiction. The notification will be completed through a notice of filing within 2 business days.

d. When protective supervision has been terminated and the court has retained jurisdiction, the CPI shall immediately notify the managing attorney for the circuit. CLS will make notification to the courts through a notice of filing within three business days.

e. When the CPI determines that the children are in present danger, the CPI will enact a Present Danger Plan with the family, coordinating with the case manager to the fullest extent possible. The CPI will document the Present Danger Assessment regardless of the determination as to whether present danger exists.

f. The CPI and case manager will communicate through-out the investigation to discuss information learned and any action(s) required due to the new investigation.

g. A multidisciplinary team (MDT) staffing must occur within two business days when information has been collected to support an immediate danger threat to child safety or when a safety action is needed. The safety action includes, but is not limited to, modification of a safety plan, case plan, removal, etc. When no additional safety actions are identified, the MDT must occur within 10 business days from receipt of the new intake. The child welfare professionals will communicate and schedule the MDT and document the outcome in the meetings module as referenced in paragraph [12-4](#) of CFOP 170-1.

h. At minimum, the MDT staffing should include: CPI, CPI Supervisor, Dependency Case Manager, Dependency Case Manager Supervisor, CLS attorney (if there is court ordered supervision or legal action is warranted), Guardian ad Litem(if appointed), Attorney ad Litem (if appointed), Child Protection Team (if involved), law enforcement (if involved), and providers working with the family.

11-2. Safety Plan Modifications.

a. If there are concerns for the current safety plan, the case manager is responsible for coordinating with the CPI to schedule a safety planning conference no later than two business days for

the family's safety management team to review the sufficiency of the current impending danger safety plan and make any changes needed.

(1) During the safety planning conference the team will review the agreed upon responsibilities and current safety actions in place and make recommendations for changes in the ongoing monitoring, modification and management of the plan.

(2) If the existing case is in-home non-judicial or in-home judicial, consideration should be given to require additional accountability of the parents to sufficiently increase protective capacities through dependency proceedings (i.e., from non-judicial to judicial safety and case planning) and/or the need for an out-of-home safety plan to replace an in-home safety plan. The department may file a petition for shelter or dependency without a new investigation or the concurrence of a child protective investigator if the parents have not made sufficient efforts and progress towards case plan goals to increase capacities within 90 days after the transfer of the safety plan to the CBC. Although the concurrence of a CPI is not required, the CPI must be the one to conduct the removal of a child from a home.

b. The investigator is required to complete a new FFA-Investigation if the initial services case which resulted in ongoing services has been closed.

c. The case manager will complete a Progress Update when the new investigation has been completed when there are any maltreatment findings or when substantial changes to the safety plan must be made.