



Child Abuse Prevention and Treatment Act (CAPTA) State Plan

Introduction

This chapter is Florida's Child Abuse Prevention and Treatment Act (CAPTA) State Plan for FY 2005-2009, and the final report for FYs 2000-2004. The reporting period covers state fiscal year July 1, 1999 through June 30, 2004. We have included this section as a separate chapter in the Child and Family Services Five-Year Plan, but not all of the requirements have been addressed in this chapter. Some of the required information has been incorporated in other chapters of this report as appropriate.

Florida had been addressing Section 106(a)(7) of the Child Abuse Prevention and Treatment Act for the purposes of improving the child protective services system. Section (7) is "developing, strengthening, and supporting child abuse and neglect prevention, treatment, and research programs in the public and private sectors", in FYs 2000, 2001, 2002 and 2003.

In response to the changes in the CAPTA State Program that were established in Public Law 108-36, the Keeping Children and Families Safe Act of 2003, the State of Florida has chosen to focus on Section 106(a)(3), as follows:

"Improving the case management, including ongoing case monitoring and delivery of services and treatment provided to children and their families".

The State continues to develop, strengthen, and support child abuse and neglect prevention and intervention services in the public and private sectors to prevent the occurrence and reoccurrence of child abuse and neglect, as permissible under Program Instructions dated November 26, 2003 (ACYF-CB-PI-03-08).

The Department is in the process of privatizing child welfare services through the Community-Based Care (CBC) process. Each CBC lead agency utilizes CAPTA funds to support case management, service delivery, and ongoing case monitoring in its service area. The Office of Child Welfare and Community-Based care is in the process of conducting an analysis regarding the specific utilization of CAPTA state funds in each local district/the region. The goal of this

analysis is to ensure that current programs and services are in full compliance with the new chosen program area. For the next five years, the State will continue to focus on improving the case management and monitoring of families while ensuring delivery of needed services and treatment are provided through locally designed community-based programs.

The Department provides oversight of CAPTA services through the development of contracts that address the specific requirements of the program. The local Contract Performance Units (CPUs), located in all districts, the region and the six DCF administrative zones, conduct regularly scheduled monitoring of all Community-Based Care lead agencies. Organizations receiving CAPTA funds are monitored regarding their CAPTA-funded services and financial compliance with federal requirements for the utilization of CAPTA dollars.

Florida's Statewide Child Abuse and Neglect Prevention Network

Child abuse prevention is a major initiative of the Department. We work in conjunction with families and build on inherent strengths, cultural values and resources, so that their children and youth will be healthy and safe, and will have the skills and resources to succeed.

Research on child abuse and neglect risk factors indicates a relationship between child maltreatment's long-term adverse effects and other social problems. Research has also shown family and community protective factors can prevent child maltreatment. Florida is engaged in collaborative, coordinated and holistic responses that incorporate best practices and the use of available local resources. Our public and private efforts are aimed at strengthening families and building capacities and resilience.

Florida's funding for prevention services is designed to build effective supports to help families safely care for their children in their own homes or homes of relatives and communities whenever possible, while continuing to support a broad continuum of services in collaboration with community-based partners.

The Office of Child Welfare and Community-Based Care maintains a strong commitment to child safety through strength-based community planning, strength-based assessment and decision-making. We will continue to work with child-serving agencies and community-based partners, consumers and advocate for planning, technical assistance and support to communities in their efforts to improve the lives of families and their children.

The State's population growth is rapid, and the most rapid growth is found among populations with diverse social, ethnic and cultural expectations. This drastically increases the complexity of social service delivery efforts, particularly in regard to parenting, child safety and well being. Providing funding to encourage the development of creative and effective child abuse prevention services is one of our priorities.

Florida funds a multitude of community-based services targeting the prevention of child abuse and neglect. These services are tailored to the needs of families in local communities. Our prevention strategy includes primary, secondary and tertiary prevention services, designed to meet the needs of our multi-ethnic and multi-cultural state population.

The State's Planning Strategy

Florida's prevention planning strategy is based on the National Committee for the Prevention of Child Abuse's continuum of services to address various populations with multiple needs. Services are considered primary, secondary, and tertiary with programs located in medical, educational, social services, and neighborhood settings.

Primary prevention programs are offered to families who are at risk of child abuse or neglect who voluntarily seek information or services prior to the occurrence of child abuse or neglect. Examples of services designed to positively influence families before the occurrence of child abuse or neglect include in-home prenatal support programs, respite care services, a statewide parent HelpLine, services designed to enhance parenting skills, health, nutrition, family budgeting, coping with stress, and a statewide public awareness campaign.

Secondary prevention programs are offered to families who are vulnerable to and considered at risk for child abuse or neglect because of their life situation. These families have had no prior involvement with agencies that provide services to families identified as abusive or neglectful. These families may have been reported for alleged child maltreatment, no maltreatment was found, but the family is in need of services because of their life situation. Examples of these services include early intervention services offered voluntarily, respite care, early developmental screening, mentoring, tutoring, and health education, services designed to increase parenting skills, counseling, and home visitation services.

Tertiary prevention programs are court ordered or voluntary services offered to families who have been identified by an investigative authority as abusive or neglectful. These services are designed to prevent the recurrence of child abuse or neglect, are intensive, and considered family preservation/child protection

services. Examples of these services include all services provided by the state's child protective services system, Family Builders, Intensive Crisis Counseling Program services, parent education, and home visiting services.

Florida's CAPTA Goals and Objectives for FYs 2005-2009 are in Chapter 6, "Child and Family Services Plan Future Goals, Objectives, Strategies and Future Plans for FYs 2005 through 2009", specifically in Goals 1, 2 and 3.

Progress on CAPTA Goals and Objectives for this year are in Chapter 3, Goal 2 and Goal 9 Objective 9.5. Progress on CAPTA Goals and Objectives for the past five years are in Chapter 4, Goal 2 and Goal 9, Objective 9.5.

Update for State Fiscal Year 2003-2004

The lead agency designated to administer the Child Abuse and Prevention Treatment Act (CAPTA) grant funds will continue to be the Florida Department of Children and Families, Office of Child Welfare and Community-Based Care. The Florida Department of Children and Families, Office of Child Welfare and Community-Based Care is also the designated lead agency for the Community-Based Child Abuse Prevention (CBCAP) federal grant and the Children's Justice Act (CJA) grant. The Office of Child Welfare and Community-Based Care functions as a central program office to 14 geographical service areas and six administrative zones that are responsible for local planning and service delivery. The central office responsibilities include monitoring, technical assistance, allocation of funds, policy and statute interpretation/clarification, data collection and analysis for the 14 geographical areas. The department's mission is to work in partnership with local communities to ensure safety, well-being, and self-sufficiency for the people we serve. We work to improve outcomes for children and families in order to achieve safety, permanency and well-being for Florida's children.

The headquarters Office of Child Welfare and Community-Based Care allocates Child Abuse Prevention and Treatment Act grant funds directly to the department's 14 geographical areas for local community-based service delivery through community-based care agencies. The central office also contracts with statewide private not-for-profit agencies for public awareness, education of professionals, and direct client services, using other funding, such as CBCAP funds. Contracting from the central office with statewide providers for these services reduces the possibility of duplicating services at the local level, provides consistency for the services purchased, and reduces the overall cost of providing services.

There are 18 community facilitators and liaisons based in the 14 geographical areas. The facilitators work on behalf of local communities and most of them are

employed by the various Community-Based Care lead agencies. The facilitators serve as liaisons between the District/Region/CBC Support Team, State Support Team, the TEAM Florida Partnership, and community stakeholders. Community facilitators promote well-defined family-centered philosophies, create new “bottom-up” communication and feedback loops, and articulate the changes that are needed to improve service delivery for children and families. The facilitators expedite state and local communication, provide technical assistance, and promote community-based planning and implementation of child abuse and neglect prevention and intervention. This process provides community representatives with the opportunity for direct involvement in asset-based planning and the development of their local Child and Family Services Plan. Within each district/region, the facilitators have lead responsibility for educating, training and implementing community mapping projects that are designed to identify assets, strengths, and resources in local communities.

The core statewide private not-for-profit agencies that will continue to be contracted with by the central program office are tasked with developing, strengthening, and supporting child abuse and neglect prevention and intervention services in the public and private sectors to prevent the occurrence or reoccurrence of child abuse and neglect. These agencies are:

The University of South Florida’s Lawton and Rhea Chiles Center for Healthy Mothers and Babies, Community Enhancement and Educational Development program (CEED) is a contracted service provider that assists the Florida Department of Children and Families. The program is located in the University of South Florida’s Chiles Center in Tallahassee. This program supports and operates the TEAM Florida Partnership. The TEAM Florida Partnership is designed to enhance state and community collaboration efforts, share best practices to build stronger, healthier communities, and improve service delivery systems that will support and strengthen families. For a more detailed summary of this program and accomplishments for this year, see Chapter 3, Goals 2 and 9.

211 Big Bend (formerly known as Telephone Counseling and Referral Service, TCRS) operates the statewide Parent HelpLine. The Parent HelpLine - 1-800-FLA-LOVE number is projected to respond to over 12,000 callers this year. The HelpLine is a 24-hour, statewide, toll-free telephone crisis hotline that offers immediate assistance, comprehensive information and referral to parents and other primary caregivers in Florida who are feeling overwhelmed, stressed, or who have specific questions or needs about their children, or their behavior. The 211 Big Bend telephone service also provides information and referrals to local community-based prevention.

The Commission on Marriage and Family, formerly known as Responsible Fatherhood was created in 1996, by the Florida Legislature in order to raise public awareness of fatherhood issues, identify barriers to the involvement of responsible fathers and promote strategies to help dads be the best parents they can be. During the 2003 Legislative session, the Florida Legislature replaced the Commission on Responsible Fatherhood with the Commission on Marriage and Family through the passage of Senate Bill 480. In partnership with the state, the Commission currently funds more than \$1 million in programs statewide. Each district/region provides some type of parent education program that supports and encourages parental relationships and the promotion of healthy marriages.

The Ounce of Prevention Fund of Florida is a statewide private, not-for-profit corporation. The corporation was established as a public-private partnership with the state of Florida and the private sector. The Ounce of Prevention Fund of Florida is governed by a board of directors comprised of leaders from the business community, legal professionals, government agencies, and child advocacy groups. Through contracts with the Florida Department of Children and Families and other funding sources, The Ounce of Prevention Fund of Florida works in partnership with community-based organizations and coalitions. The purpose of their programs is to strengthen individual, family, and community capacities to prevent serious family dysfunction, long-term health problems, and academic and early developmental delays. Programs focus on child abuse and neglect prevention, family preservation and family support by offering service delivery systems driven by home visitation, education and support groups, promotion of access to health care, and the provision of services through schools and community-based centers. A strong evaluation component measures program effectiveness by monitoring short-term and long-term outcomes. The Ounce of Prevention recently expanded their role in prevention efforts by adding a Prevention Services unit, which serves as the State's liaison to Prevent Child Abuse (PCA) America. The organization was awarded the state chapter of this national organization. This has allowed the Prevention Services unit to form relationships with other state chapters and receive information on research-based best practices for programs and services to prevent abuse on a national level. For an update on the progress made during this year see Chapter 3, Goal 9.

Healthy Families Florida is a program under The Ounce of Prevention Fund of Florida and it is the single largest funded child abuse and neglect secondary prevention program in the State of Florida. For a more detailed summary of this program and accomplishments for the year see Chapter 3, Goal 9 and Chapter 15.

Florida Respite Coalition was contracted to design, operate and expand a statewide network called Lifespan Respite Care System for Florida. This system is now fully organized into a structure of community-based 21-member Advisory Boards in five regions participating under a State Governing Board. Each of the boards (statewide and regional) has working committees for Advocacy and Awareness, community Development, Fund Development, and Quality and Standards. They coordinate respite care planning and service delivery. The boards and committees include community volunteers focusing on respite care as a resource, prevention strategy and support for families and caregivers involved in the stress and ongoing demands of caring for their loved ones with disabilities or special circumstances in the home. These community-based groups represent families, caregivers, respite care providers, faith-based providers, agency workers and other citizens concerned with helping those caregivers access quality respite care services. . For a more detailed summary of this program and accomplishments for the year see Chapter 3, Goal 9

The Redlands Christian Migrant Association (RCMA) is a statewide private not-for-profit agency, operating the Beyond Barriers Project in three Florida counties. Beyond Barriers focuses on low income rural, migrant and seasonal farm worker families. The program engages in the education and enhancement of families, regarding the safety, stability and nurturing of the children enrolled in RCMA's Florida School Readiness (subsidized childcare) programs, as well as children in the neighboring rural vicinity. The Beyond Barriers Project is located in four geographic areas of Florida: Indian Rive County, Palm Beach County, Homestead and Florida City (South Miami-Dade County), The program's mission is to promote education, training and resource support to prevent child abuse and neglect among low income rural, migrant and seasonal farm worker families. . For a more detailed summary of this program and accomplishments for the year see Chapter 3, Goal 9

The Neighborhood Partnership Program is a statewide initiative that began during state fiscal year 2000-2001, which has been successful in reducing the number of telephone calls to the abuse hotline. For a more detailed summary of this program and accomplishments see Chapter 3, Goal 9 and Chapter 15.

The Community-Based Child Abuse Prevention Program (CBCAP) will continue to be implemented and funded, with particular attention to parent involvement in CBCAP service planning. The funding is targeted to develop, operate, expand and enhance the statewide network of prevention-focused services and support programs that foster the development of prevention services for children and families through community-based collaborations and partnerships, both public and private. The programs will remain community-based, family focused and culturally relevant to address the unmet needs in local communities. The

services will continue to focus on child abuse and neglect prevention, with collaborative strategies involving families and their communities. Services purchased will include: support of parent leadership; participation in the statewide planning network; outreach to special populations; support of a statewide respite coalition; attendance at national conferences; an annual statewide needs assessment; statewide training and technical assistance; information and referral; information management; financing statewide public information activities; and, the statewide promotion of child abuse and neglect prevention activities.

The statewide programs funded through the Community-Based Child Abuse Prevention Program (CBCAP), and Promoting Safe and Stable Families Family Support funds, enhance the programs and services providing primary, secondary and tertiary prevention services in each local communities that through Child Abuse Prevention and Treatment Services Act (CAPTA) funding. The statewide programs described above are vital to the State's child abuse prevention network to provide direction, continuity, structure, and technical assistance for the continued development and implementation of statewide planning activities. Core group involvement and collaboration enhances the planning and design process that enables and encourages flexibility and creativity in local communities to prevent child abuse and neglect.

Citizen Review Panels

For state fiscal year 2003-2004, the State of Florida used three separate existing entities to satisfy the Citizen Review Panel requirements of the Child Abuse Prevention Treatment Act. Section 402.164, Florida Statutes, concerns Florida's Statewide Advocacy Council and the Florida local advocacy councils. The Children's Justice Act grant requires a multidisciplinary task force. Chapter 383, Florida Statutes, establishes a State Child Abuse Death Review Committee in the Department of Health.

The State will add a fourth panel for state fiscal year 2004-2005, Foster Care Review, Inc. Florida's citizen review panel programs are authorized by Florida Statutes (F.S. 39.702) to conduct case reviews of dependent children.

For additional information and activities of these groups refer to their annual reports included in Appendix C.

The Florida Statewide Advocacy Council (SAC)

Section 402.164 of the Florida Statutes authorizes the Statewide Advocacy Council (SAC) to advocate for a better quality of life for Floridians with unique needs who are clients of state services by monitoring and investigating the

agencies, programs and service providers. The SAC serves as a third party monitoring and investigation mechanism for agencies under their jurisdiction. It also oversees and serves as an appeal body to the local councils (LAC) throughout the state. Any further review or action is taken to the DCF Secretary or the Governor.

The 350 plus volunteer members appointed by the Governor, investigate complaints about abuses and deprivations of human and constitutional rights, monitor and investigate reports of abuse, monitor programs and facilities that are operated, funded, or contracted by state agencies, review research projects involving human subjects, and generally advocate for the welfare of individuals who are in the care and custody of state agencies in the social service area or private vendors under contract with the state.

The appellate body of the LACs is the Statewide Advocacy Council (SAC). This council of 15 volunteers appointed by the Governor receives appeals on complaints that the LACs have not been able to resolve at the local level. SAC may address complaints that are a threat to the life, safety or health of individuals, or that are multi-service area in scope without a district appeal. After investigation by SAC, these issues may be referred to the secretary or agency head, or the Governor for action. SAC members also oversee the LACs and supervise the operation of the LAC system.

Membership/meetings.

Florida's Statewide Advocacy Council is comprised of 15 volunteer members with diverse professional background appointed by the Governor. Members serve on committees, thus allowing specialization in different subject areas. Meetings are held three times a year at various locations around the state and training workshops are also held at various locations. SAC members must also attend at least 4 meetings at each of the local advocacy councils in their service area. There are over 400 volunteers appointed by the Governor who serve in 37 local advocacy councils.

Assessment activities.

The 38 LACs investigate complaints about abuses and deprivations of human and constitutional rights, monitor and investigate reports of abuse, monitor programs and facilities that are operated, funded, or contracted by state agencies, review research projects involving human subjects, and generally advocate for the welfare of individuals who are in the care and custody of state agencies in the social service area or private vendors under contract to the state. They also conduct public hearings as mandated by law.

Annual Report and Recommendations.

The Florida Statewide Advocacy Council submits an annual report to the Florida Governor and the public. For FY 2004, the SAC is preparing a special report to address their activities under CAPTA. Many recommendations involve assessments of the state's policies and practices. Their activities included:

1. A study of whether IV-E eligible foster children residing in juvenile justice facilities are receiving the protections required under federal law and Medicaid rules and regulation.
2. An investigation of foster children receiving psychotropic medication, including whether gifts to physicians by pharmaceutical companies are in the best interest of children and/or violate federal or state laws.
3. A study of foster children's access to Medicaid services and whether they are receiving early and periodic screening, diagnosis, and treatment services.
4. A study of the timeliness of DCF renewal of foster care home licenses and investigations of licensing violations.
5. A study of KidCare's compliance with federal requirements in identifying and providing services to children and families needing mental health services.

FY 2003 Recommendations included:

1. Streamline the process for those wishing to enroll in the Home and Community-Based Waiver for the Developmentally Disabled Medicaid Program.
2. Provide access to Clients' Records at state agencies through obtaining a data sharing agreement that will allow SAC/LACs full access to Medicaid client data.
3. Continue to monitor/review the Child Abuse Prevention and Treatment Act (CAPTA) program's assurances by the Department of Children and Family Services to the Department of Health and Human Services and the Florida Legislature.
4. Continue to review Florida Assertive Community Treatment (FACT) Teams.
5. Streamline the process of reviewing client deaths that are in the care of the state.
6. Secure additional dental Medicaid providers for the Developmentally Disabled.

The Children's Justice Act grant Task Force (CJA)

The Children's Justice Act Grant Task Force (CJA), established in 1997, is a multidisciplinary task force that reviews investigative, administrative, civil, and criminal handling of cases of child abuse and neglect. CJA makes specific recommendations as to the allocation of CJA dollars to address areas needing support or improvement. Every three years, the CJA Task Force is required to review the state's laws, codes, policies, and procedures relating to child abuse and neglect and make recommendations for change. The CJA program was established pursuant to section 107 of CAPTA.

For FY 2000 to FY 2004, CJA funds have been used to support a variety of programs. Some of these include: the development of a certification process, training and education standards for Child Protection Teams and Sexual Abuse Treatment Programs, strengthening of the statewide child abuse death review process and data collection system, support for statewide child protection conferences and summits, and various research projects to aid in the development of quality programming throughout the child welfare system. For FY 2004 to FY 2006, CJA will focus its efforts on three priority areas, including collaborative models, children's advocacy centers, and statutory changes related to the child protection system.

Membership/Meetings.

The CJA task force is comprised of professionals with knowledge and experience within the criminal justice system and the child protective services system. CJA meets quarterly.

Method of Assessment: Outreach, Surveys, Interviews, Reviews

CJA uses various assessment techniques to study the child protection system, including surveys and communications with child protective professionals and other stakeholders around the state. CJA administered a survey at statewide conferences and training workshops to solicit information from professionals who worked within the system and who knew firsthand the issues related to the strengths and weaknesses of the child welfare system. To better establish priorities and goals based on identified needs, planning workshops were utilized to review reports, recommendations, and findings from surveys.

Findings and Recommendations

The CJA annual report, published every three years, provides a review of each initiative and the current condition of priority areas. Their recommendations revolve around ensuring adequate program funding, expanded training,

administrative support and accountability, improved legislation, and staffing and funding for the Guardian Ad Litem program:

Recommended Changes to Statutes or Court Rules:

1. Reduce caseloads
2. Streamline processes
3. Change hotline criteria
4. Joint investigation/collaboration
5. More/Stricter criminal penalties

Recommended Changes to Investigation and Prosecutions:

1. Increase communication
2. Increase collaboration
3. Prosecute more
4. Vertical prosecution
5. Specialized law enforcement and prosecutors
6. More staff and lower caseloads

Training in the area of co-occurrence of domestic violence and child abuse

The Statewide Child Abuse Death Review Team (CDRT)

The statewide Child Abuse Death Review Team (CDRT) was established in 1999 to ensure oversight of the child abuse death review process (F.S. Chapter 383.402(1)) and local teams. The goal of the State team is to facilitate a better understanding of children's deaths and to develop enhanced strategies for preventing future deaths by developing a multidisciplinary panel of individuals at the state and local level who had expertise in the fields directly impacting the health and welfare of children and families.

Duties of CDRT include developing a standard protocol for the uniform collection of data, providing training to cooperating agencies, individuals, and local death review teams on the use of the child abuse death data protocol, develop guidelines for reviewing child abuse deaths, including guidelines to be used by law enforcement agencies, prosecutors, medical examiners, health care practitioners, health care facilities, and social service agencies in order to provide training and technical assistance to local teams. In the past, the statute restricted reviews of child abuse and neglect deaths in which the Florida Abuse Hotline accepted at least one prior report of abuse or neglect. As a result of intense advocacy by the State team, the 2004 Florida Legislature amended the child death review statute authorizing the teams to review all verified deaths, not just where a prior report exists. In addition to its oversight duties, the State team reviews child deaths occurring where there are no local teams.

Membership/Meetings.

The State Child Abuse Death Review Team consists of seven agency representatives and eleven appointments from various disciplines related to the health and welfare of children and families. Members are appointed for staggered two-year terms and all are eligible for reappointment. The representative of the Florida Department of Health, appointed by the Secretary of Health, serves as the State Committee Coordinator. Over the past year, local review teams have increased from 11 teams covering 16 counties, to approximately 80 teams in various phases of development. These local teams review deaths in their communities and collect data that is provided to the state team for analysis. The state team meets at least quarterly, while the local teams typically meet monthly. However, the number of meetings depends on the type of review: those requiring an immediate response, and periodic reviews that cover deaths over a specific period of time.

Method of Assessment.

A child death review is conducted by a multidisciplinary team that reviews case files, policies and procedures, and interviews persons and entities involved in the case. Data collected by local team is analyzed to identify trends and preventive measures.

Annual Report and Recommendations.

The Child Abuse Death Review prepares an annual statistical report on the incidence and causes of death resulting from child abuse in the state during the prior calendar year. The report typically is released in December and includes recommendations for state and local action, including specific policy, procedural, regulatory, or statutory changes, and any other recommended preventative action:

1. The Florida Legislature should expand the child abuse death review process to include the review of all verified abuse or neglect death, with no requirement for prior reports to the child abuse hotline.
2. Drowning is a major concern. Preventive measures should be taken to decrease child drowning in Florida, including through educational materials.
3. Children's case plans should be more individualized and more specific. Standard, non-specific requirements should be avoided, as they obfuscate the primary problem and cause delays in compliance. Follow up should be required.

4. Additional training should be required for professionals in recognizing signs and symptoms of child abuse and neglect, risk assessment, and mandatory reporting requirements.
5. DCF should improve their interagency communication and revise their policy regarding case closure. CPT recommendations should be considered prior to case closure.
6. DCF should be granted access to all criminal histories, local and national, in an expedient and consistent manner.
7. At risk children should be prioritized for subsidized childcare.

Foster Care Review, Inc. (FCR)

Florida's citizen review panel programs are authorized by F.S. 39.702 to conduct case reviews of dependent children. Foster Care Review (FCR), created in 1989 as a grass roots initiative, administers the foster care citizen review program in Miami-Dade County. FCR recruits and trains citizen review panel volunteers; conducts judicial reviews of children in foster care; maintains a database of information on individual cases and system issues; and issues recommendations to the court regarding the child's safety, well-being and permanency. FCR reviews approximately 1000 cases and 2500 children every year.

There are two other review programs in Florida in Manatee and Collier counties, with a population of approximately 275,000 persons each. Manatee reviewed 498 cases and 915 children, while Collier reviewed 243 cases and 429 children. All three programs belong to a state association of citizen review programs and operate according to state law and to minimum standards promulgated by the association.

Membership/meetings.

FCR's 110 citizen review panel volunteers conduct approximately 1500 reviews per year that involve 2500 children. FCR reviews are held 18 days out of the month at the Citizen Review Courtroom located on the grounds of the Juvenile Justice Center.

Assessment activities.

At each hearing, FCR volunteers review case file information, reports provided to the court by case managers, therapists, school, physicians, and others. They also interview witnesses related to the case regarding the child's progress and the agency's compliance with the case plan, policies, and practices. Data collected during reviews is analyzed to identify systemic trends, provision of

services, compliance with federal and state statutes, and obstacles to permanency.

Annual report and recommendations.

Pursuant to Florida law, FCR issues an annual report to the Chief Judge of the Judicial Circuit with findings and recommendations for system improvements. For FY 2000 – 2005, FCR recommendations have focused on case management issues, case review requirements and the use of FCR data for quality improvement purposes:

1. Case managers should receive training on case planning and on preparing for reviews. DCF should employ a liaison whose job is to notify case managers of reviews and ensure that all information required will be provided. Quality reviews are essential in moving children to permanency. Poor case management needlessly prolongs a child's stay in care.

Findings:

- a) Workers are unprepared for reviews and often fail to attend reviews.
 - b) Workers fail to complete orders from the Court.
 - c) There is lack of documentation for supporting services for children in the following areas: mental health services (evaluations, therapy reports and referrals), physical exams and follow up medical treatment, dental services and other referrals such as speech, neurological evaluations and/or therapies.
 - d) For FY 2003, Judicial Review Social Study Reports were pre-filed for only 55% of the children reviewed.
 - e) Case plans look the same. Case plans without the appropriate tasks are common.
2. Children need closer monitoring of service provision. Many children are not receiving the services they need and deserve to address trauma experienced by abuse and separation from the family.

Findings

- a) There is no coordination between dependency and delinquency courts. DCF caseworkers are not always notified when a child has been picked up, is in detention, or has been released. They are often unaware of specific recommendations made by the delinquency court.
- b) Many sibling groups experience limited visitation and in some cases, none at all.
- c) Children in foster care continue to lack the mental health, educational, and medical services to meet their needs.

- d) Youth who are likely to remain in foster care need to maintain family connections as part of their permanency plan.
 - e) Foster home placements are unable to meet the child's needs.
 - f) Older youth are unprepared for life after foster care.
3. The Department and Foster Care Review should collaborate in the use of FCR data to identify systemic strengths and weaknesses, case management issues, ASFA compliance, and obstacles to permanency. Citizen review provides a unique opportunity to assess critical system of care issues.

Changes to Florida's Citizen Review Panels

Public Law 108-36 revised the CAPTA citizen review panels requirements, by requiring each panel to:

Examine the practices (in addition to policies and procedures) of State and local agencies to evaluate the extent to which the agencies are effectively discharging their child protection responsibilities (section 106(c)(4)(A);

Provide for public outreach and comment in order to assess the impact of current procedures and practices upon children and families in the community (section 106(c)(4)(C); and

Make recommendations to the State and public on improving the child protective services system at the State and local levels (section 106(c)(6).

In order to enhance its mandate to have a minimum of three panels and to improve its compliance with the new CAPTA requirements, the State has added an additional citizen review panels, the foster care citizen review panel covering the multicultural area of Miami-Dade County in South Florida. The new panel, Foster Care Review, Inc., conducts foster care citizen reviews for the 11th Judicial Circuit of Florida. The change in Florida's CAPTA citizen review panels is effective June 25, 2004.

From FY 1999 to FY 2002, Florida's panels included the Children's Justice Act task force, Department of Children and Families; the State Child Death Review Team, Department of Health; and Foster Care Review, Inc, (FCR) a nonprofit organization. In FY 2003, FCR was substituted by Florida's State Advocacy Council, Department of Children and Families; however, Foster Care Review will once again assume the CAPTA panel functions for FY 2004. Florida plans to continue working with these four CAPTA citizen review panels.

State's Response to Recommendations from the Citizen Review Panels

In 2003, there were four Citizen Review Panels that responded to the department with a yearly report. These four panels were, Foster Care Review, Inc. of Miami-Dade County, the Children's Justice Act, Florida's Statewide Advocacy Council and the Child Death Review Team.

The Child Death Review (CDR) Team's recommendations and concerns from the 2003 report were attended to via face to face meetings. The recommendations and the actions taken are listed in Appendix C.

The 2003 report from Florida's Statewide Advocacy Council did not have any recommendations to the department regarding any issues.

The formal written responses to the Children's Justice Act and to the Foster Care Review, Inc. reports are attached in Appendix C, following the panels' annual reports.

The department will provide a written response to the recommendations from each Citizen Review Panel on an annual basis, no later than six months after the date on which each panel's report is submitted to the State.

Child Abuse Prevention and Treatment Act State Plan for State Fiscal Years 2005-2009

The Florida Department of Children and Families, Office of Child Welfare and Community-Based Care will continue the work of improving its child protection system. The Department will continue to work with the statewide community-based agencies the districts/region and the TEAM Florida Partnership to develop an improved comprehensive strategy for the prevention of child abuse and neglect. Florida has refined the scope and focus of its statewide goals and objectives for the next five years, to assist individuals, both in the public and private sector, with focusing resources and services on measurable outcomes that will positively impact the provision of prevention and intervention services in Florida. Outcomes will be scientifically based and analyzed to determine the effectiveness of the programs. Florida will focus on Section 106(a)(4) of the Child Abuse Prevention and Treatment Act, and will continue to envision the following:

Assess district/region child abuse and neglect prevention programs to determine achievement of performance outcomes and objectives to ensure the quality of services being provided.

Work with statewide organizations to help improve the statewide Child Abuse Prevention Network.

Provide technical assistance to statewide contracted service providers to monitor compliance and effectiveness of service delivery.

Engage the TEAM Florida Partnership statewide workgroup in prevention program planning and coordination.

Conduct technical assistance meetings with community facilitators and other representatives from local communities throughout the State.

Work in partnership with other public agencies and community-based organizations concerned with child abuse and neglect prevention.

Continue to improve the work of its CAPTA citizen review panels through protocols, training, and a CRP manual, to assist in the coordination of the work of each panel in meeting CAPTA requirements.

Enter into a memorandum of understanding with each citizen review panel that addresses: panels requirements; expectations of the panel and the Department; report requirements and timelines; access to information; confidentiality; and, contact person(s) for technical assistance.

Appeals Process

When a report of abuse or neglect is made to the hotline and the report has been substantiated and results in judicial action each family is appointed an attorney to represent them. The attorney may file an appeal on behalf of the client if they do not concur with recommendations. Section 39.01, Florida Statutes and Department Operating Procedure 175-19 contain the process for handling false reports to protect clients who have been wrongly accused of abuse and neglect.

Assurance Requirements

Florida is submitting signed documentation by Governor Jeb Bush, stating that all of the assurance requirements were met and the state continues to comply with the required CAPTA assurances.