



Child Protection

Your Rights and Responsibilities

What is the goal of Florida's Child Protection System?

Our goal is to ensure that children are safe from abuse or neglect while doing everything we can to keep families together.

What is a child protective investigation?

An investigation results when a call is made to the Florida Abuse Hotline claiming that a child is being abused or neglected. Florida law requires the child protective investigator to determine if any child in your home has been harmed. If abuse or neglect has occurred, services are available to assist your family in keeping your child safe and preventing future abuse or neglect.

How do I know the person at my door is really a child protective investigator?

The investigator should present proper identification before entering your home. You may check that the person is employed as a child protective investigator by calling the investigator's local office or the Abuse Hotline's toll-free number at 1-800-96ABUSE. The name and phone number of the investigator are written on the back of this brochure. You may call the investigator for information or assistance at any time during the investigation.

How will information be gathered?

You can help the protective investigator by truthfully answering questions and providing requested information. Withholding information or telling 'half-truths' is not helpful to the investigator or to you. If your child has been harmed, your understanding of the problem and your willingness to discuss openly with the investigator what happened are important in determining how to improve the situation for your child and family.

The investigator will talk to you, your child, family members, and contact others who know your family such as a teacher or neighbor. **Florida law specifically directs visits and interviews with the child and family to be unannounced whenever possible, which may result in your child being interviewed without you being present.** You may video or audio tape your interview with the protective investigator, using your own equipment, if it is immediately available. A lawyer may represent you at any point during the investigation. If you choose to delay your interview with the investigator in order to be represented by a lawyer, the investigator will continue to gather information from other persons, including family members.

State law authorizes court action if a child is hidden or made unavailable for the purpose of delaying or avoiding the investigation. **The law also requires you to notify the child protective investigator within two business days if you move or if your child's location or living arrangement changes.**

What are the possible results of the investigation?

The investigation regarding your child is required to be completed within 60 days, except in cases involving a child death, missing child, or when law enforcement has an open criminal investigation. The majority of reports reveal no indication of child abuse or neglect and the investigation is closed without further action.

If child abuse or neglect is identified, the investigator will explore with you what services and resources may be provided to your family that would allow your child to stay at home while also preventing future abuse or neglect. Based upon your family's situation, the investigator will likely consider, (1) referring you to a local community agency for help, (2) offering in-home case management services, or (3) asking a judge to grant court ordered supervision and oversight of your family.

In most situations, service referrals and in-home case management services greatly reduce the need for the investigator to recommend taking more serious steps, such as placing your child outside the home, as allowed by law. You do have the right to refuse the services and assistance offered by the investigator. If you refuse services, the law requires the investigator to determine whether court oversight is required to protect your child.

The parent(s) of the child, and any person alleged to have caused the abuse or neglect may request a copy of the investigative record. This request should be made directly to the investigator or supervisor whose names are provided on the back of this brochure.

What are my rights if my child is removed from my home?

If your child is in immediate danger and the provision of in-home services would not ensure your child’s safety in the home, the investigator will place your child in the home of a relative, close friend, or in an agency-licensed shelter. A court hearing will be held within 24 hours so a judge can decide whether your child should be returned home or continued in the temporary care and custody of the department. You have the right to obtain an attorney, to be heard, and present evidence at the shelter hearing.

If your child is placed outside your home, the judge will establish visitation rights. This will include who is allowed to see the child, and whether visits should be supervised. You may visit and talk with your child as provided by the judge. Depending upon the agencies in your area, either the child protective investigator or a case manager from your local community-based care agency will arrange the time and place for visits and calls between you and your child.

Despite possibly being angry and upset, it is important that you continue to care for your child by providing information on any special medical conditions, dietary needs, known allergies, or behavior problems affecting your child. You will be asked to sign forms consenting to necessary medical treatment. This is important in case your child is injured or becomes ill and you are not readily available to provide consent for medical treatment.

In addition to visiting with your child, you are encouraged to call and to write letters, unless restricted by the court. Children also will be comforted by having favorite clothes, pictures, and toys with them while they adjust to their new surroundings. Please check with the investigator or case manager regarding how these items can be provided to your child.

What does the court expect from me?

Except in cases of severe child abuse or neglect, it is in your child’s best interest to be reunified with you as quickly as possible. To approve reunification, the court will want to see that the conditions that led to your child being removed no longer are a danger to the child.

It is important that you understand and fully participate in the process of determining what tasks and activities must be completed before your child can come home. You will be asked to attend a mediation or case planning conference to develop a “case plan”. The case plan is the official agreement between you and the court regarding what is expected from you, and what you can expect from those agencies directed to assist you.

State and federal laws require parents be able to provide a stable home for their child within 12 months from the date the child was placed outside the home. After a child is returned home, court oversight generally continues for an additional six months.

If the child cannot be safely returned home within the 12 month timeframe, the court will determine the best long-term care and goals for the child, and court oversight will continue until some other permanent care is arranged.

If you have questions, you may call the investigator or supervisor listed below.

Investigator’s Name:	Investigator’s Telephone Number
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Supervisor’s Name:	Supervisor’s Telephone Number
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Information on food assistance, temporary cash assistance or Medicaid is available at ACCESS Florida by calling 1-866-76ACCESS or apply online at www.myflorida.com/accessflorida/.

For KidCare health insurance, call 1-888-540-5437 or go to www.floridakidcare.com.

For services in your community, call 211 or go to <http://flweb211.myflorida.com>. You may also ask your investigator or case manager.