



State of Florida  
Department of Children and Families

Rick Scott  
Governor

Mike Carroll  
Secretary

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**DATE:** May 21, 2018  
**TO:** Regional Managing Directors  
**THROUGH:** David L. Fairbanks, Deputy Secretary *DLF for*  
**FROM:** JoShonda R. Guerrier, Assistant Secretary for Child Welfare *JSG*  
Rebecca Kapusta, Assistant Secretary for Operations *RK*  
**SUBJECT:** CFSR PIP Goal 2, Strategy A, Key Activities 8.3.1 – 8.3.3 (Caregiver notice of hearings and right to be heard in court)

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**PURPOSE:** The purpose of this communication is to provide guidance resulting from a state-wide workgroup to ensure that caregivers are notified of court hearings and their right to be heard at court hearings

**BACKGROUND:** Florida completed its Child and Family Service Review (CFSR) in September 2016 and the Children's Bureau issued the final report on December 28, 2016. One of the findings in the report was that Florida did not have a systematic method to notify caregivers of court hearings and their right to be heard in court. Florida has two years to implement the key activities and achieve the sustained level of performance as negotiated with the Children's Bureau in Florida's Program Improvement Plan (PIP). As part of the PIP, a statewide workgroup was created to address a systematic method to ensure that caregivers were notified of court hearings and their right to be heard at those hearings. The workgroup developed a one-page document that can be posted in offices and distributed to caregivers during ongoing home-visits conducted by case managers or child protective investigators prior to case transfer. The workgroup also recommended that the case manager or child protective investigator prior to case transfer provide written notice of the next court hearing to caregivers which could be a copy of the home visit form, or on the back of the business card of the child welfare professional providing the notice.

**ACTION NEEDED:** In order to effect practice improvement, it is critical for the regions and Community-based Care lead agencies (CBCs) to ensure that each caregiver is notified of court hearings and their right to be heard at those hearings.

- Please ensure that this information is prominently posted in offices, and distributed to caregivers during home visits by the case manager or child protective investigator prior to case transfer. The one-page document can be used or something similar.
- Instruct case managers and child protective investigators to provide written documentation to caregivers of the next court hearing, date, time, and location.  
Examples include
  - A copy of the agencies visitation form, or
  - A business card with the information included,
  - Other regionally approved methods

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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

The Office of Child Welfare created an addendum to the ongoing Florida CQI reviews to capture performance on providing notice to caregivers of court hearings which began January 1, 2018 and will continue on a quarterly basis.

**CONTACT INFORMATION:** Should you have questions about this communication, please contact Mark Shults, Office of Child Welfare, Manager of Continuous Quality Improvement, at 850-717-4650 or via e-mail [Mark.Shults@myflfamilies.com](mailto:Mark.Shults@myflfamilies.com).

cc: Grainne O'Sullivan, Director, Children's Legal Services  
Family and Community Services Directors  
Office of Child Welfare Program Directors  
CBC Chief Executive Officers  
Sheriff's Offices Performing Child Protection Investigations  
Office of Court Improvement

# CAREGIVERS AND THE COURT



## Your Right To Notification And Communication

**Caregivers are respected, valued partners in the dependency legal system. You have a right to:**

- ❖ Advance notice of court hearings
- ❖ Be heard in court
- ❖ Ask questions about the case plan
- ❖ Respectfully share your opinion



## Attending Court Hearings

### What to Expect:

Court hearings are set a minimum of every 6 months; however, there are usually more hearings at the beginning of a case. The conversation in court will center around the safety, permanency, and well-being of the child. The court will assess whether the parent has benefited from services and demonstrated the protective capacities necessary to safely return the child to his/her family.

### How to Prepare:

- Feel free to contact your case manager or children's legal services\* (CLS) attorney prior to the hearing to ask any questions.
- Once you arrive, ensure that the case manager and CLS attorney know that you are present and inform them if you would like to address the court.
- If you are unable to attend court, request a Caregiver Input Form and return it to the case manager prior to court so that it can be incorporated into the case documents.

### What to Share:

Below are some S.M.A.R.T. Ideas for Issues you may want to share in court:

**S**chool related issues

**M**edical or psychological needs

**A**adjustment in your home

**R**requests for services

**T**ravel order requests



*As the caregiver trusted to provide quality parenting to a child in the dependency system, your opinions and observations are valuable to the court.*

\*In some regions this is managed through the Office of Attorney General or the Office of the State Attorney.