

## Your Rights and Responsibilities

- ◇ You may have a lawyer with you at any time during the investigation. If you choose to delay your interview with the investigator in order to have a lawyer with you, the investigator will continue to gather information from other people, including family members.
- ◇ You may video or audio tape your interview with the investigator, using your own equipment, if the recording equipment is immediately available.
- ◇ You may refuse the services and help offered to you by the investigator. If you refuse services, the law requires the investigator to decide if court oversight is needed to protect your child.
- ◇ The child's parent(s) and anyone alleged to have caused the abuse, neglect or abandonment may ask for a copy of the investigative report. You can ask the investigator or supervisor whose names are on the back of this brochure for a copy of the report.
- ◇ If your child is removed from your home, you have the right to hire a lawyer, be heard, and give evidence at the shelter hearing which will happen within 24 hours of your child leaving your home.
- ◇ If the investigation is closed with verified findings of child abuse, neglect or abandonment, the person named as the caregiver responsible for the abuse, neglect or abandonment in the report will be sent a Notice of Right to Internal Review. To ask for an internal review, the caregiver responsible for the abuse, neglect or abandonment named in the report must complete, sign and return the Request for Internal Review form to the address in the notice within 30 business days of receiving the notice.
- ◇ ***An internal review is not available to a caregiver responsible who is the subject of a proceeding under Chapter 39, Florida Statutes; who is the subject of a pending criminal investigation related to the event which resulted in the verified finding of abuse, neglect or abandonment; who is facing pending criminal charges related to the event which resulted in the verified finding of abuse, neglect or abandonment; or where the circumstances that resulted in the verified finding were later proven according to the applicable standard in a criminal or dependency proceeding.***

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

Investigator's Name:

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Investigator's Telephone Number:

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Supervisor's Name:

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Supervisor's Telephone Number:

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For services in your community, call 211 or 1-866-728-8445 or go to [www.my211florida.org](http://www.my211florida.org). You may also ask your investigator or case manager.

For KidCare health insurance, call 1-888-540-5437 or go to [www.floridakidcare.org](http://www.floridakidcare.org).

Information on food assistance, temporary cash assistance or Medicaid is available at ACCESS Florida by calling 1-866-762-2237 or apply online at [www.myflorida.com/accessflorida/](http://www.myflorida.com/accessflorida/).



# Child Protection

## Your Rights and Responsibilities





# Florida's Child Protection System



The goal of Florida's child protection system is to make sure that children are safe from abuse, neglect or abandonment while doing everything we can to keep families together. When a call is made to the Florida Abuse Hotline claiming that a child is being abused, neglected or abandoned, the Abuse Hotline Counselor decides if the information given meets criteria to be accepted and assigned to a child protective investigator also known as a CPI. Florida law requires the child protective investigator to decide if any child in your home has been harmed. If abuse, neglect or abandonment has happened, services are ready to help your family keep your child safe and prevent future abuse, neglect or abandonment.

## Here are some questions you might have about the investigation process:

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

The investigator should show proper identification before entering your home. You may check that the person works as a child protective investigator by calling the investigator's local office (see contact information listed on the back of this brochure) or calling the Florida Abuse Hotline's toll-free number at 1-800-962-2873 (1-800-96ABUSE).

### How will you get information about me?

The investigator will talk to you, your child, family members, and talk to others who know your family such as a teacher or neighbor.

You can help the investigator by truthfully answering questions and giving them the information they ask for. Holding back 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 talk openly with the investigator about what happened is important in deciding how to make the situation better for your child and family.

**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.**

**The law also requires you to let the child protective investigator know within two business days if you move or if your child's location or living arrangement changes.**

### How long is an investigation?

The investigation regarding your child must be completed within 60 days, except in cases when a child has died, is missing, or when law enforcement has an open criminal investigation.

### What are the possible results of the investigation?

If child abuse, neglect or abandonment is identified, the investigator will talk to you about what services and help may be given to your family that would let your child be safe in your home and prevent future abuse, neglect or abandonment. 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, referrals for services and in-home case management services greatly lower the need for the investigator to recommend taking more serious steps, such as placing your child outside your home, as allowed by law.



### What will happen if my child is removed from my home?

If your child is in immediate danger and it is also decided that the use of in-home services would not make sure that your child is safe in your home, the investigator will place your child in the home of a relative, close friend, or in the care of a licensed out of home caregiver (foster parent). There will be a court hearing 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 of Children and Families.

If your child is placed outside your home, the judge will make a decision about visitation. The judge will decide 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.

### What can I do while my child is not in my home?

During the time your child is not in your home, it is important that you continue to care for your child by giving all information on special medical conditions; food likes, dislikes and needs; known allergies; or behavior problems affecting your child. You will be asked to sign forms agreeing to necessary medical treatment. This is important in case your child is injured or becomes ill and you are not 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 are 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 about how your child can receive these items.

### What does the court expect from me?

Except in cases of severe child abuse, neglect or abandonment, 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 from your home no longer are a danger to your child.

It is important that you understand and fully participate in the process of deciding what activities must be completed before your child can come home. You will be asked to attend meetings to develop a "case plan". The case plan is the official agreement between you and the court about what is expected from you, and what you can expect from the child welfare professionals who are working with you to help you and your family.

The law says that parents must 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 another six months. If the child cannot be safely returned home within the 12 month timeframe, the court will decide the best long-term care and goals for the child, and court oversight will continue until some other permanent care is arranged.

