



# Child Protection

## Your Rights and Responsibilities



The goal of Florida's child protection system is to ensure 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 shall determine if the information received 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 determine if any child in your home has been harmed. If abuse, neglect or abandonment has occurred, services are available to assist your family in keeping your child safe and preventing future abuse, neglect or abandonment.

### Here are some commonly asked questions regarding the investigation process:

#### How will information be gathered?

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

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 notify the child protective investigator 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 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.

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

If child abuse, neglect or abandonment is identified, the investigator will explore with you what services and resources may be provided to your family that would allow your child to remain safe in the home while also preventing 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, 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.

### Your Rights

- ❖ You may have a lawyer 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.
- ❖ You may video or audio tape your interview with the protective investigator, using your own equipment, if the recording equipment is immediately available.
- ❖ You may refuse the services and assistance offered to you by the investigator. If you refuse services, the law requires the investigator to determine whether court oversight is required to protect your child.
- ❖ The child's parent(s) and any person alleged to have caused the abuse, neglect or abandonment may request a copy of the investigative record. This request should be made directly to the Department of Children and Families at [www.myFLfamilies.com](http://www.myFLfamilies.com). Select General Information – Records Requests & Public Records. Select where you reside, Looking for Florida Records, and Other Public Records Request.
- ❖ Upon closure of an investigation with verified findings or child abuse, neglect, or abandonment, the individual named as the caregiver responsible will be notified of their right to an internal review. There are restrictions to the internal review process, which will be provided in the notice.
- ❖ If your child is removed from your home, you have the right to obtain an attorney, to be heard, and present evidence at the shelter hearing.

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

If your child is in immediate danger and it is also determined that the use 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 the care of a licensed out of home caregiver. 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.

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.

**What can I do while my child is not in my custody?**

During the time your child is not in your custody, 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, 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 no longer are a danger to the child.

It is important that you understand and fully participate in the process of determining 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 regarding what is expected from you, and what you can expect from those child welfare professionals working in partnership with you to assist you and your family.

The law requires 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.

**Availability of Auxiliary Aids for the Deaf or Hard-of-Hearing**

If you are deaf or hard-of-hearing, you are entitled to interpreter services at no cost to you. Please inform your investigator of the type of auxiliary aid or service you need.

**Interpreter Services for Limited English Proficiency**

Please inform your investigator of your language needs and interpreter services will be provided at no cost to you.

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

Investigator's Name:	Investigator's Telephone Number:	Report #:
Supervisor's Name:	Supervisor's Telephone Number:	Shift Hours: