This tri county protocol is entered into on February 1, 2011, will supersede prior Memorandum of Agreement dated July 2008, by and between the following agencies for Broward, Miami-Dade, Monroe, and Palm Beach Counties:

- Child Protective Investigators, as provided by:
  - Broward Sheriff’s Office, Broward County (17th Circuit)
  - Department of Children and Families for Circuits 11, 15, 16
  Hereinafter, collectively referred to in this agreement as CPI

- Children’s Legal Services, as provided by:
  - Office of the Attorney General, Broward County (17th Circuit)
  - Department of Children and Families for Circuits 11,15,16
  Hereinafter, collectively referred to in this agreement as CLS

- Lead Community-Base Care Agencies, as provided by:
  - ChildNet, Broward County (17th Circuit)
  - Our Kids, Miami-Dade & Monroe Counties (11th & 16th Circuits)
  - Child and Family Connections (15th Circuit)
  Hereinafter, collectively referred to in this agreement as CBC.

The intent of this agreement is to provide a standardized protocol for the requests for OTI services and case transfer of abuse investigations between Monroe, Miami-Dade, Broward and Palm Beach Counties. Nothing in this protocol shall be read or construed to absolve any of the parties to this agreement of their obligations under Florida law, federal law and/or the terms of their contract(s) with the Department of Children and Families.

Definitions:

Child Protective Investigators (CPI): Child protective investigations staff in Monroe County (DCF), Miami-Dade County (DCF), Broward County (Broward Sheriff’s Office) and Palm Beach County (DCF).


Child Protection Team (CPT): Multi-disciplinary team composed of appropriate representatives of school circuits and appropriate health, mental health, social service, legal service, and law enforcement agencies.

Community Base Care Agencies (CBC): The 11th Circuit-Miami/Dade and 16th Monroe (Our Kids) the 15th Circuit – Palm Beach (Child and Family Connections) 17th Circuit – Broward County (ChildNet) community based care lead agencies performing child welfare services.

Children’s Legal Services (CLS): Monroe County (DCF), Miami-Dade County (DCF), Broward County (Office of the Attorney General) and Palm Beach County (DCF) legal divisions who represent the Department of Children Families and their contracted agencies performing child protective investigations and protective services.
Children's Legal Services Liaison (CLSL): The Office of the Attorney General and Children’s Legal Services in Miami/Dade and Palm Beach County designated liaison who facilitates the transfer of cases noted in this agreement.

Institutional Jurisdiction: Institutional investigations will be conducted by the Circuit where the institution is located.

Jurisdiction: The domicile or usual residence of the child or such other Circuit as the court may determine to be in the best interest of the child.

Out of Town Inquiry (OTI): A request from another circuit conducting a child abuse investigation to complete specific investigative tasks within the receiving Circuit.

Reopen cases: Previously adjudicated case that requires court involvement to add additional services.

Transfers: The process of changing the primary responsibility of investigating a child abuse allegation from one investigator to another outside the originating circuit.

I.  Inter-Circuit Investigative OTI Protocols

A. An OTI is for requesting specific tasks from another Circuit. E.g. home studies, interviews, verification of jurisdiction, etc.
B. OTI requests shall be completed within 24 hours and documented in the chronological notes.
C. Emergency OTI requests are for assessing child safety and not for routine tasks.
D. Send all OTI records to the requesting Circuit electronically or by mail if the record contains a original signature.

II.  Inter-Circuit Transfer Protocols

A. The Circuits designated receiving unit shall accept all inter-circuit transfer requests of child abuse investigations within 24 hours of the request.

   1. The sending Circuit’s CPI Supervisor shall, prior to the transfer request, complete the following:

      a  Ensure that the primary responsibility for investigation lies with the receiving circuit's jurisdiction;
      b  Ensure the timely compliance of investigative tasks. i.e. Commencement, Notes, Child Safety Assessment, Supervisory Reviews, Second Party Reviews are interviews of participants/collaterals residing in sending County; by Circuit policy;
      c  Identify any prior dependency court involvement to determine jurisdiction;
      d  Identify any prior, open or pending services initiated by a CBC;
      e  Identify mandatory Child Protection Team investigations and refer to either the receiving CPT or sending Circuit CPT, based on investigative need;
f The sending CPI/CPIS shall contact the receiving circuit by phone to request the transfer and then complete a formal request in FSFN.
g Institutional investigations will remain where the institution is located; and
h Death cases will remain where the incident occurred.

B. The CPI Supervisor will handle the transfer of abuse investigations with no prior dependency action and no community based care involvement.

1. Shelter
   a. If the family resides in the neighboring Circuit/jurisdiction but the case is called into your jurisdiction (i.e. hospital related cases) the CPI Supervisor will contact the Circuit of residence/jurisdiction to request a case transfer and the children sheltered in their home Circuit.
   b. Both Circuits will coordinate transportation as deemed necessary and agreed upon by the CPIS.

C. The transfer of abuse investigations/cases involving previously adjudicated child (ren) when a shelter, reopen or service case is involved shall take the following actions:

1. Shelter
   a. The CPI or CPIS will verify through CLS that any prior dependency action exist and confirm the Circuit retained jurisdiction.
   b. If the family resides in the neighboring Circuit/jurisdiction but the case is called into your jurisdiction (i.e. hospital related cases) the CPI Supervisor will contact the Circuit of residence/jurisdiction to request a case transfer and the children sheltered in their home Circuit or;
   c. If a circuit retains judicial jurisdiction, however the children now reside in the neighboring circuit, the circuit where the family resides will retain investigative responsibility. The circuit of judicial jurisdiction will be responsible for all appropriate court actions.
   d. Both Circuits will coordinate transportation as deemed necessary and agreed upon by the CPIS.
   e. If the shelter can’t be coordinated by the two circuits, the circuit that received the case should follow the ongoing protocol found below.

2. Emergency Jurisdiction Shelter
   a. Prior to the shelter hearing the CPI shall provide the CLSL information as to the Circuit of jurisdiction;
   b. The sending CLSL shall notify the receiving CLSL of the removal and pending shelter hearing immediately;
   c. The CLSL shall address all jurisdictional issues in the shelter order or a separate order, entered on the same day;
   d. The sending CLSL shall provide the shelter order to the
receiving CLSL within **2 business days**;
e. The receiving CLSL shall, within **2 business days**, file a motion requesting the case be re-opened based on the shelter of the child (ren);
f. The sending CBC shall contact the receiving CBC, within two business days of the removal to coordinate the transportation of the child (ren); and
g. The receiving CBC shall pick up the child (ren) within twenty-four hours of notification.

3. Re-Open for Services

a. The sending CPI/CPIS shall notify the sending CLSL of the need to reopen a case for services and provide the investigative file;
b. The sending CLSL shall notify the county of jurisdiction’s CLSL to motion the court to reopen the case and forward the investigative file;
c. Within **2 business days** the receiving CLSL shall file a motion requesting the case be re-opened do to need for services to the child (ren);
d. The receiving CLSL shall notify their CBC; and
e. The receiving CBC shall request courtesy supervision from sending CBC as needed.

4. Case transfer between CBC’s

a. The sending CBC shall request in writing from the receiving CBC approval for the transfer of jurisdiction on a case;
b. The sending CBC shall not recommend the transfer of jurisdiction to the courts until receipt of written approval from the receiving CBC; and
c. The receiving CBC shall have **5 business days** to respond to the request.

III. Florida Safe Families Network (FSFN) Transfer Protocols

A. Requesting Transfer Procedures

1. From the supervisor’s desktop expand the cases heading;
2. Select “actions” for the case that needs transfer;
3. On the select action screen chose “Case Transfer Request”;
4. On the case transfer request screen, “Details Section” add date requested and status as pending; and
5. Add sending unit supervisor comments. The comments shall include how verification of jurisdiction was established, whether a previous dependency action is involved, and whether there is current or previous CBC involvement.
6. Ensure that no open or pending approval exists prior to transfer.
B. Accepting Transfer Procedures

1. From the supervisor’s desktop expand utilities function and select “Case Transfer Request”;
2. On the transfer request screen select “Pending” on the status;
3. Select case to receive;
4. On the case information screen select “Accept” under status; and
5. Add Receiving Unit Supervisor Comments.

IV. Circuit Protocols and Contacts for Transfers and OTIs

A. Broward County – Addendum “A”
B. Miami-Dade/Monroe County – Addendum “B”
C. Palm Beach County – Addendum “C”
D. Child Legal Services and Office of the Attorney General – Addendum “D”

V. Non-negotiable items

A. Contact lists updated as necessary and distributed to agencies noted in the agreement.
B. All CPI staff shall receive and maintain a copy of the agreement.
C. Training on the Tri County OTI and Case Transfer Protocol is mandatory for all CPI staff by their respective managers/supervisors.
D. CBC lead agency intake staff and their subcontracted agencies will receive a copy of the agreement with training determined by the lead agency.
E. Receiving CBC staff will pick up children as agreed upon by the CBC designees.
F. The transfer of investigation/case is not refutable.
G. Monthly conference calls will occur upon request to address specific case related issues/delays as it pertains to this agreement.

VI. Conflict Resolution Protocols

A. Conflicts should be elevated to the equivalent chain of command in each respective agency.