

Chapter 1

INTERNAL REVIEW OF VERIFIED FINDINGS

1-1. Purpose. This chapter describes the policies and procedures for conducting an internal review of a verified finding pursuant to the Child Abuse Prevention and Treatment Act.

1-2. Scope. The policies and procedures described within this chapter apply to staff of the Department who conducts internal reviews of verified findings.

1-3. Authority. The Child Abuse Prevention and Treatment Act (CAPTA) as amended 42 U.S.C. ss. 5106a(b)(2)(B)(xv)(II), provides authority to conduct internal reviews of verified findings. Section [39.202\(7\)](#), Florida Statutes, provides authority to retain investigative reports with verified findings of maltreatment in FSFN until the youngest victim turns 30 years of age.

1-4. Definitions.

a. Caregiver Responsible. An individual who is named as the responsible person in a child protective investigation with a verified finding.

b. Florida Safe Families Network (FSFN). The Department's Statewide Automated Child Welfare Information System (SACWIS). FSFN serves as the statewide electronic case record for all child abuse investigations and case management activities in Florida for the Department of Children and Families.

c. Internal Review. A review conducted by the Department to ensure policy, rule and statute were followed when making a determination of a verified finding in a child protective investigation.

d. Verified Finding. A finding made by the child protective investigator that a preponderance of credible evidence exists to support the allegations of abuse, neglect or abandonment.

1-5. Internal Review Requirements.

a. Only the "caregiver responsible" may request an internal review.

b. An internal review involves the examination of the information contained in FSFN, the hardcopy investigation file, other pertinent documents (if any are available) particular to the specific case such as police reports, and any documents provided by the requestor along with interviews of staff involved in the investigation, if they are still employed by the Department.

c. The internal review will not reinvestigate the allegations, but will consider whether a preponderance of the evidence supports the verified finding based on the investigative process and information provided by the requestor.

d. The internal review will be completed by the Regional Family and Community Services Director or his or her designee. The person completing the internal review must not have been involved in any stage of the investigation.

e. The internal review shall be completed within 60 days of the request.

f. The person completing the internal review has the authority to change a verified finding if the documentation does not support the finding.

1- 6. Internal Review Procedures.

- a. If a Chapter 39 dependency proceeding is pending at the time of the request for an internal review, the internal review shall not be initiated until after the adjudicatory hearing.
- b. If a criminal investigation or criminal case is pending at the time of the request for an internal review, the internal review shall not be initiated until after the Law Enforcement investigation or State Attorney's case is completed.
- c. An internal review may not be conducted on an investigative file past the Department's retention schedule.

1-7. Post Internal Review Activities. If the verified finding(s) is/are changed as a result of the internal review, the supervisor of the child protective investigator that made the finding or a person designated by the Regional Family and Community Services Director will immediately:

- a. Ensure the investigative summary is updated and an addition is made to the chronological notes to explain that an internal review occurred, resulting in an update of the finding(s);
- b. Ensure the program office staff documents the decision on the appropriate screens in FSFN;
- c. Prepare an addendum to the investigative summary reflecting the changed finding(s) and send a copy to Children's Legal Services attorney assigned to the case along with the case manager assigned to the case if there is an open dependency case involving the subject of the internal review; and,
- d. Review the case with the child protective investigator, supervisor and Program Administrator that made the finding, if appropriate, to discuss and document why the reviewer indicated that a preponderance of credible evidence did not exist and to discuss any changes in practice indicated by the internal review.