



Healthy Families Subcommittee

Action Packet

**Tuesday, September 24, 2013
3:30 PM - 5:30 PM
12 HOB**

COMMITTEE MEETING REPORT

Healthy Families Subcommittee

9/24/2013 3:30:00PM

Location: 12 HOB

Summary: No Bills Considered

Committee meeting was reported out: Tuesday, September 24, 2013 6:45:40PM

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Healthy Families Subcommittee

9/24/2013 3:30:00PM

Location: 12 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Gayle Harrell (Chair)	X		
Lori Berman	X		
Heather Fitzenhagen	X		
Shevrin Jones	X		
W. Keith Perry	X		
Kathleen Peters	X		
Cary Pigman	X		
Bobby Powell	X		
Sharon Pritchett	X		
Kevin Rader			X
Ray Rodrigues	X		
Patrick Rooney, Jr.	X		
Carlos Trujillo	X		
Totals:	12	0	1

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Presentation/Workshop/Other Business Appearances:

Child Protection and Safety Framework

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Tallahassee FL 32399
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Child Protection Teams

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Dependency Cases

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Florida Safe Families Network

Kellie Sweat Darnell (State Employee) - Information Only
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Presentation on Child Welfare

Kurt Kelly (Lobbyist) (At Request Of Chair) - Information Only
Florida Coalition for Children, President and CEO
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Tallahassee FL (352) 509-
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Presentation on Child Welfare

John Cooper (At Request Of Chair) - Information Only
Kids Central Inc., CEO
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Presentation on Child Welfare

Steven Murphy - Information Only
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PRESENTATION TO LEGISLATURE 9-25-13 v12 FULL

Good afternoon Madame Chair and members of the committee.
Thank you for the opportunity to attend and speak to you on a subject of great importance to the State's dependency system.

I am at home in a courtroom, however I am a fish out of water in this setting, so please forgive the fact that I will be relying on notes.

I am here as an individual judge with a message and a suggestion.
I don't speak for the court system.
My comments are not intended as a negative commentary on the Secretary of the Department of Children and Families or the Department.
The Secretary must operate within the same legal framework that I must operate in.

I want to give you a little information about myself so hopefully you will recognize that I have the mileage and experience to give my comments some weight.

I am a circuit judge in the 19th Circuit, the sole dependency judge, and the Unified Family Court Judge in St. Lucie County.
I have been a judge for 23 years and have handled every type of circuit court case, and have sat in all 4 of our counties.
I am the model dependency court judge for the circuit.
I am a member of the Statewide DCIP, and I've taught at the Florida Judicial College.

I have 707 children.

I say that they are mine because as a judge I have the responsibility for them as though they were my own.
In dependency the judge has the responsibility for the overall safety and well-being of each child.

There is nothing in human endeavors that is perfect,
yet this is the field where it must be.
That is why it is critical that everyone do their jobs, and do them in a way that is the best that can be done.
If that happens the risk gets as close to zero as humanly possible.
If not, we can harm that child, destroy the family, or end up with a dead child.
The magnitude of this is incredibly stressful.

I am here to describe for you how broken the dependency system is in Florida and then suggest to you a pathway to fixing it.
I will not be giving you any statistics, as we know statistics can say whatever we would like them to say.
Instead I am going to put a face to the problem.

From my vantage point there are three major problems with our dependency system:

1. No one is in charge. The current system is so fragmented that the Secretary cannot achieve the goals mandated by the Legislature.
2. The provision of services is often woefully inadequate, often creating the illusion of helping.
3. And there is a cycle of tragedy - In the 33 years I've lived in Florida, I have observed the repetitive cycle of child injuries, disappearances and deaths and the resulting well-intentioned changes to the system that never cure the problems.

Due to time limitations I am going to provide you with just a small fraction of what I have observed and experienced.

1. FRAGMENTATION

Judges see the pieces of the dependency system come together and see how well they work or don't work.

And I submit to you that the system in Florida does not and cannot function effectively.

Our dependency system gives the secretary of the department a mandate – drive from point A to B in the safest, straightest, shortest line, and in the least amount of time, but it doesn't give the Secretary the ability to carry out the mandate.

There is no one person who is in charge of this fragmented system.

- The Secretary controls Investigations – but not in every county, since some use the sheriff's office.
- The Secretary controls the attorneys who prosecute the cases for the Department – but not in every county since some counties use the Office of the Attorney General.
- The Secretary doesn't control the case managers – the CBCs control the case managers or subcontract it to another entity.
- The Secretary doesn't control adoptions – the CBCs control adoptions or subcontract it to another entity.
- The Secretary doesn't control the CBCs – the former Secretary was clearly advised that he could not interfere in how the CBCs are run.
- The Secretary doesn't control the provision of services – that is contracted out to the managing entities, and they further contract out for services.

So if there is a problem with case management, adoptions or services and the Secretary wants to act – he or she has to ask the CBC (or managing entity) to make a change and hope that it does.

Further, in most cases the CBC would have to be willing to ask the subcontractors to act, and then the subcontractor would have to be willing to act.

If any of these private entities didn't act, the Secretary can't simply retrain the person or fire the person involved, or effectively and efficiently solve the problem. The Secretary is left to either terminate the CBC's contract on an emergency basis and immediately place another CBC in charge, or notify the CBC that their contract will not be renewed and place the contract out for bid.

If I need to compel an action by case management, or adoptions, or the managing entity, my options are limited.

If I enter an order and there is no compliance, I can pursue contempt against the Department.

There is no point in my doing that.

I would be holding the Secretary accountable for actions that are in most situations essentially beyond the Secretary's control.

I'm a simple fellow and I like analogies -

This is the equivalent of putting the Secretary in the driver's seat of a car, he or she has a steering wheel that controls the left front wheel, the CBC is in the front passenger seat with a steering wheel that controls the right front wheel,

the managing entity is in the rear seat with a steering wheel that controls 1 rear wheel, the private entities that regulate foster care have the steering wheel that controls the other rear wheel,

and we tell the secretary to drive that straight route I described.

- *It can't be done,*

And I can sit in court in my supervisory role and tell the Department to drive straight, and the secretary can ask the CBC to do that, but can't tell the CBC, Managing entity, or foster care to drive straight in unison.

The bottom line is that there is no vertical control over the system.

One might counter and say "well the secretary can end a contract, or change the CBC." Let's look at what that means in reality.

Due to major problems and the failure of the CBC to cure them upon the demands of the Department, the 19th Circuit has been and is still going through a CBC change. This process started in March 2012 and still has not come to conclusion.

I will briefly outline for you what I've experienced, what generated the need for the CBC change, and what a CBC change looks like.

I entered the dependency division in St. Lucie County in January of last year.

Our CBC contracted out the provision of case management and adoption services to 2 other companies.

The county your case is in determines which entity provides case management.

The adoptions entity covers the whole circuit.

I had significant problems with case management and adoptions when I was in Okeechobee County, but they paled in comparison to the problems in SLCo.

From day one I continually had to order the department to perform the most fundamental tasks of safe and effective case management.

The first week of March 2012 I met with the program director of the case management entity for SLCo.

I outlined all the problems I was experiencing.

I followed it with an email.

There was no positive change, and some things worsened.

In mid-April 2012 I had a hearing in a case where the child's parent's rights have been terminated and he was placed in a therapeutic foster placement in Lake City.

The distance was too great to transport him to court for the hearing.

I had a report that recited how well this child was doing.

Between that report, and the case manager's testimony, the data I had was that the child was seventeen, on one psychotropic medication, was getting straight A's in high school, and couldn't wait to graduate to go to college.

I called that child from the courtroom.

What I found was the child was on two psychotropic medications, he was failing every subject in school, he was at risk at not graduating, and he had never had the desire to go to college.

As a result of this case I dug even deeper into the problems with case management.

What I found was the wholesale failure of case management.

I am limiting the number of my examples due to time limitations.

In fact the number of examples is staggering.

- Case managers were not obtaining services for parents or children, or even recognizing the need. This failure included necessary counseling, tutoring, medical and dental care for children.
- Case managers tested for drug use on a ridiculously inadequate schedule. There was a greater chance of winning the lottery than catching drug use. One case manager allowed the parent to pick the days she wanted to test, thereby giving the parent an ability to use drugs at will without fear of being caught. And that was after I discussed the need for effective drug testing at least twice before with that case manager.
- Reports were substantially inaccurate or untrue.
- Lying or deception in court.
- Case managers ("CMs") not talking to teachers.
- CMs not talking to out of town case managers.
- CMs not talking to the guardian ad litem.
- CMs not talking to therapists.
- Failing to talk to children at home visits.

- Placing children in homes without conducting a safety check or home study.
- One experienced case manager knew that a child was staying out of the circuit with a parent that was not permitted to have unsupervised access, with another adult in the home who had a criminal record and who had been forbidden to supervise the parent's visits. The CM left the child there for the entire summer.
- Moving children without regard to the repetitive trauma that it caused.
- Placing children without giving priority to locations that would prevent moving schools, thus disrupting their education.
- Recommending case closure with parents where there was still a question of whether the risks had been resolved. This often occurred with parents who had not been adequately supervised or drug tested to know if the problems and risks were actually resolved. Often upon closer examination they were not.
- One CM recommended reunification and case closure with a parent who had an extremely volatile temper and refused to do tasks ordered by the court. This parent would blow up at the case manager and guardian in the hall of the courthouse and outside the courthouse at almost every hearing in the presence of the young child, and this same CM testified that the parent had made a threat to kill everyone in the courtroom if the case had not turned out to his liking.
- Case managers having the attitude that if the family or child was placed out of county, it was someone else's responsibility and problem.
- Case managers and supervisors signing off on reports they could not possibly have read because the errors in them were so glaring.
- Case managers and supervisors who didn't prepare for hearings and trials. This created substantial risk that critical facts would be omitted, and wasted an enormous amount of court time. Often case managers didn't know the facts concerning their children and families. Case managers and supervisors covered each other's hearings and didn't know the cases.
- I've had case managers who make up information when they don't have the factual information – they fill in the blanks. I recently had a case manager who testified in a hearing and it appeared she was filing in the blanks. This was a seasoned case manager. I questioned her on her testimony, and as I pressed her for details, she finally stated in exasperation "I don't know anything about this case, I just got it this morning." The hearing was on whether I should authorize a young child to travel out of the state.
- Case managers who did not file judicial reviews for hearings, or filed them directly before the hearing, or even at the hearing, violating the time requirement under the rule. The hearings had to be continued delaying permanency and delaying the court's ability to address any problems.
- I held many judicial reviews that lasted 90 minutes to 2 hours and at the end of those review hearings determined that the judicial review filed by the CM was not based on the case plan that had been adopted by the court. The result was a complete waste of time and a case that needed to be rescheduled further filling my docket.
- I had one case manager who on multiple occasions failed to file judicial reviews in his cases, or filed them late, each time resulting in a continuance, causing delay, delay in permanency and wasted time. Not long after I entered an order in

one of his cases documenting this, and finding that he lied to me in court, our CBC promoted him to the position of supervisor.

- In one case I had a hearing on a motion to move 2 young children from an adoptive placement. I found that the children were placed in a foster home where they were suffering from neglect and from mental abuse. Approximately 2 ½ months later I learned that the CBC and adoptions provider left another foster child in that same home after my order was entered.
- I recently had a hearing with a case manager with 20 years' experience. For almost 2 years she has been permitting unsupervised contact between a father and son. She didn't tell her supervisor and she didn't know that there was a statutory prohibition on contact due to his conviction for a violent felony. Any contact required a court order. She had no idea this was a problem and when it surfaced in court didn't seem to absorb the magnitude of the problem.
- I recently had a hearing with a supervisor that routinely signed off on paperwork that could not have been proof read since it had such glaring errors. I entered an order that I will no longer accept reports or paperwork signed by her. Her testimony in hearings and trials was so lacking, and so unprepared that the Department's cases suffered as a result. I believe that CLS determined that will no longer call her as a witness.
- If the location of a known parent is unknown a "diligent search" needs to be done to try and locate them. Diligent search is an oxymoron in SLC. I inherited cases where the case was open for a year or more, and there was no search started. I had cases where searches were ordered multiple times over a 6 month time frame or longer, and no search was done. Keep in mind that in these cases that the case manager knows essentially from the beginning if there is a parent missing and the search doesn't require a court order. In exasperation I ordered the department to come in and give me a detailed timeline for when one would be concluded in one of the cases. Counsel for the CBC came in. The supervisor couldn't give me any time deadline, and the attorney for the CBC refused to limit the CBC to any deadline.

Almost all of that creates risk for a child.

A great deal of it prevents me from having important data, or gives me wrong information.

All of it delays permanency.

It delays provision of services for children and families.

If any of the problems on that list sound familiar it should.

Many of these things were the problems recognized in the NUBIA report as factors that created the risk that ultimately caused the death of one child and the severe injury to another.

Problems identified in that report that were found to have created risk to that child were commonplace in dependency in St. Lucie County, almost 2 years after the report was issued.

I issued orders to the department, and the case managers ignored them.

I issued orders to the case managers and they ignored them.
I issued orders to the supervisors and they ignored them.

In order to address this I held countless meetings.
I entered countless orders documenting the problems.

I began reporting the problems to the Department and the CBC in March 2012.
I sent copies of most orders to the administration at the CBC.

The Department notified the CBC that they were being placed under a corrective action plan on August 31, 2012, a little more than 5 months after I began reporting the problems.

In January of this year when our circuit switched regions within the Department, I used the opportunity to provide Secretary Wilkins with a letter to bring him up to speed personally, and sent him copies of the primary e-mails and orders on the issues. I estimate that group of materials amounted to over 400 pages.

While this process of dealing with the problems existed, rather than recognizing and taking ownership of the problems, the reaction by the CBC was to push back. First there was an apparent attempt to get me removed from the Dependency division since I was driving this process.

Then the CBC claimed the problems only existed in a handful of cases in spite of the evidence to the contrary.

The CBC terminated the subcontract for case management and pulled it in house. There was no improvement.

The CBC was notified on March 13th of this year that their contract would not be renewed. (My only criticism – in the face of all the documented problems I was very surprised by the tepid content of the letter.)

The Managing Attorney for CLS, the Regional Director for CLS, and the individual attorneys for CLS documented the very significant problems that created very significant risks for families, as well as complete failures to serve the children and the families.

Throughout this process I struggled to maintain the safety of the children as well as trying to get effective services for the children and their parents.

By June of this year, I was witnessing the collapse of case management.

Many of the most problematic case managers are gone, but not all.

Cases are being switched between case managers and supervisors at a dizzying pace. It is not uncommon to see a case switch between managers and supervisors from one hearing to the next in a very short period.

Statistically each switch in case managers has a substantial negative impact on the likelihood of reunification.

For some time now trials often consist of a case manager or supervisor with minimal involvement in, and knowledge of the case testifying by reading off records. The quality of the evidence has suffered.

Approximately 2 months ago I asked the Department to put one of its own employees into our CBC to try to stabilize the situation. The regional director for the Department did that and it has caused some improvement and some stability. But the problems are far from cured.

It is now September of 2013, approximately 18 months after this process began. We still do not have a contract with a new CBC. This does not appear to be as a result of any fault on the part of the Department. We will have a new CBC on November 1, 20 months after the process started. I have had very positive interactions with the new CBC and will work cooperatively with them, however that does not change my position on the dysfunctional nature of the system.

This also had a *tremendous* impact on the dockets. Beginning last spring I started working 6 ½ to 7 days per week to try to keep up with my routine work and to be able to enter the orders needed to document what was occurring in the cases. That extra work and wasted court time put me significantly behind. I've continued to work that same schedule, trying to become current on the many final judgments that need to be entered.

Court started and starts most days at 8:15 AM, and has gone as late as 9 PM. Each time a judicial review or a disposition could not be held it had to be rescheduled. Each time I could not reach permanency and close a case, it had to be continued and drawn out. That filled up my docket and the magistrate's docket and delayed permanency for children and families. Instead of being able to work with these families in court every 3 months as I should be doing, the magistrate and I only see the cases every 5 or 6 months.

Thus, now if a matter becomes a problem, there is delay in hearing the issue. Things that could be handled with more frequent hearings with prepared case managers have now become emergencies. On top of the regular work, since January 1st I have had requests for over 210 emergency and priority hearings.

Due to time limitations today, I have not discussed the problems experienced with adoptions. They were significant enough that I had to stop adoptions last November. When I held a meeting to address the issues in June of this year, I found that none of the problem cases I described in detail and sent to the adoptions entity had been addressed. There were problems that created risk for children, and delayed adoptions.

I have not included the significant problems one encounters when trying to get supervision or services for a parent or child when they live in another judicial circuit under a different CBC.

I have also not included the problems with the Secretary's lack of control over foster care licensing.

So while the Department has the ability to terminate a contract, this is what it looks like in practice, and the risk it creates while all this is happening.

The Legislature has a reasonable expectation that the Secretary and the Department will provide safe, effective care and services for the children, and gives the Secretary the mandate to drive that car, however there is no way to meet that mandate.

There is no one who has full vertical control of the dependency process under this fragmented system.

2. PROVISION OF SERVICES

If a child or family lives in one of the major metropolitan areas in the state they have available to them a significant array of services. But those areas constitute a very small percentage of the State of Florida.

We have a managing entity that is essentially independent of the Secretary and the Department. They govern the provision of services in terms of quantity, quality and to an extent availability. They have a contract with the Department but are not run by the Department. This adds another layer of fragmentation.

We have significant problems with

- availability of services
- delays in starting services
- quality of services
- the skill level of those who provide services
- the quantity, frequency, and scope of services
- the lack of inpatient services
- reports that are unreadable or that give no meaningful data
- evaluations for substance abuse, mental health, anger management and batterers programs that often are based only on self-reporting which is inherently unreliable

Some examples of the problems:

- Most of the mental health evaluations and treatment are not performed by psychologists or psychiatrists. Most often they are provided by social workers. Very often they are provided by social workers who are not licensed. Some of those social workers have testified in court. When questioned some have told

me that they have remained as interns for as long as 12 years. The extent of their supervision by the licensed social worker in the office is an after-the-fact review of files one time per week.

- Very often I have children who have been sexually abused or sexually acting out being treated by individuals who don't have the necessary training and experience in dealing with young children who have that problem.
- I have parents who are addicted to various controlled substances, including parents who crush and inject Oxycodone or Roxicodone into their blood stream. When I was in adult drug court in St. Lucie County we would have drug users and addicts for no less than one year, and often for up to two years. They would receive counseling that included inpatient residential services, intensive outpatient services, and weekly group and individual counseling sessions.

When I see parents in the same circumstances in the dependency division I receive evaluations for counseling services that usually include recommendations such as 14 group sessions and 4 individual sessions.

There is no way on God's green earth that these parents are truly going to be cured of their addiction with those limited services.

Very often there is such a scarcity of treatment beds or intensive outpatient services that parents are required to call the service provider on a daily basis to find out if there is space available for them. If they do not call they are put at the end of the line.

For many of these parents if they were that responsible to be able to do that they wouldn't be in the dependency court system to begin with.

I recently entered a judgment in a case involving a parent who was addicted to opiates, went for an evaluation, and was told to call repeatedly for bed space. This parent miraculously did call, space was available, she went back to the provider, who then told her she couldn't enter because she had to go through detox for the opiates first. This was months after the evaluation at which that information should have been provided. The parent slipped further into drug use, and the dependency case turned into a termination of parental rights.

- When I sat in Okeechobee County I could only get parents drug tested on certain days of the week because the drug lab was not open every weekday. The result was missed opportunities to either catch parents in drug usage or to document they are succeeding in drug treatment.
- On many occasions I will order counseling or evaluation for a child. And then they wait. Sometimes the wait was for months. Other times the case manager never makes the referral. Once the evaluation occurs, if the child needs mental health counseling, it can be yet another wait for the first session to begin. Very often the children are counseled at school, removing them from classes. This is in and of itself a problem since many of my children struggle in school. Once counseling services are underway, it is not uncommon to find out that the therapist has quit. It is then another wait for scheduling for the child to continue with counseling, however, the child has to again relive all the trauma recounting the history with the therapist and developing a new therapeutic relationship. I

have had cases where children have had to go through this three times. This same situation exists for the parents.

The result of this is that often we create the illusion of a cure.

We provide inadequate case management, we provide inadequate mental health and substance abuse services, the parents technically comply with the terms of their case plan, and we wish them good luck.

It is not uncommon to see families end up in the dependency system for the second or third time, very often with the exact same allegations.

Each time this happens where it is determined that the conduct actually occurred again, the child has been through purgatory a second or third time and then gets traumatized all over again by potential removal or the mere trip through the dependency process.

CLS and I have not had a very good start with the managing entity.

The director had a meeting that I attended in January of this year.

I pointed out all the problems that I was experiencing and did not receive any response.

A meeting was held in the first week of April where the director of the managing entity met with me, the magistrate, CLS, RCC and GAL to get input.

At the end the director stated she would be back for an additional meeting to address what progress was being made and to keep the dialog open.

We never heard further.

At the DCF summit at the end of August, the director met with our circuit group and gave the same presentation that she gave us at the beginning of April.

It was so non-specific, it is unclear if any of the problems I voiced will be addressed.

3. THE CYCLE OF TRAGEDY

During the 33 years I've lived in Florida, I have observed the repetitive cycle of child injuries, disappearances and deaths and the resulting well-intentioned changes to the system that never cure the problems.

The problem of missing, injured and dead children has been a recurring theme.

Each time it happens there are well-intentioned fixes.

But the fixes don't stop the problem.

So it is like a slow Ferris wheel.

Each time seat #1 gets to the top, there is a disappearance or death, and the cycle repeats.

It's like having a 1957 sedan with 200,000 miles on it and the brakes fail and someone dies.

The brakes get replaced, the car is repainted, but it is still the 57 sedan with 200,000 miles.

Then a wheel bearing fails on the highway and someone dies.

And the bearing is replaced, and the car repainted, but it is the same 57 sedan with 200,000 miles.

In spite of the good intentions, and the belief in the fixes, the problems keep resurfacing, often the same ones from the last time.

The perfect example is St. Lucie County dependency in January 2012, where I experienced some of the same failings that were condemned in the Nubia report issued almost 2 years earlier.

Something fundamental in the structure is wrong.

We can't have a system that works in some counties or circuits but not others, or one that doesn't give the secretary the ability to act vertically to resolve problems.

4. THE RECOMMENDATION

Let's assume for the sake of argument that the system works well in half the state and not the other half.

What do we tell the children and families in the circuits that have the problems I've outlined?

Do we say we are sorry that they didn't live in one of the other circuits when they abused, neglected, or abandoned their child?

Do we tell them that life is not equitable and they will need to do the best they can?

A governmental system must be equitable.

Core government services should not depend on where in the state a child lives.

I've been watching as the system harms the very children and families it is supposed to protect.

This could have been dealt with more effectively and quickly in an integrated system where there is one person in charge vertically from top to bottom.

For the majority of the children I see, their life is at a point where we are their last chance. **If we get it wrong that's it for them.**

Now we get to my Recommendation:

I am recommending that the Legislature establish and fund a blue ribbon commission to study the dependency system in Florida, the 49 other states, and the District of Columbia, along with systems proposed by child welfare research organizations and academics.

The mandate should be to identify the best dependency system available to replace the one we have, or if it is determined that Florida's is the best, to make a comprehensive recommendation for a robust, effective structural repair for the system that solves all the issues I've raised, and any others.

I respectfully suggest that this can't be a commission made up of the heads or employees of the agencies in the current system, or of the private contractors working within the system.

This must be a commission that is **perceived** by the public as completely removed from politics and political influence, and **must in fact** be composed of members who are **actually** unconnected with politics, political influence, and any connection to business interests associated with dependency.

The commission should of course hear from all the agencies and business interests in their fact-finding process.

However, if the commission will be composed of the agencies and the business interests, I would suggest that the Legislature save the taxpayer money.

I respectfully suggest that it would be unreasonable to expect a person or company to make an unbiased recommendation that might decrease or eliminate the scope of their territory, or impact their wallet or budget.

Thank you for your time.

Curriculum Vitae

LARRY SCHACK

Circuit Judge

Current Assignment:

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218 South 2nd Street

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EDUCATION

- Legal** Boston University School of Law, Boston, Massachusetts
Juris Doctor received May, 1980
Honors: Book Award in Evidence
Activities: Co-Editor of *Comment*, the law school newspaper;
elected Student Bar Association, 1978-79; Advisor, First
Year Student Advisor Program, 1978-80
- College** Case Western Reserve University, Cleveland, Ohio
Bachelor of Arts, *cum laude*, received June, 1976
Major: Biology
Engaged in undergraduate research in Immunology (1974-1976)

EMPLOYMENT

January 1991 - Present: Circuit Court Judge, Nineteenth Judicial Circuit, Model Dependency Court Administrative Judge. Assignments have included all divisions of the circuit court (civil, criminal, juvenile, family, probate, and guardianship). I have served as Administrative Judge for the criminal division, and as the Dependency Model Court Administrative Judge.

February 1988 - December 1990: Assistant State's Attorney, Felony Trial Division, Office of the State's Attorney, Nineteenth Judicial Circuit, 411 South Second Street, Fort Pierce, Florida 34950. A felony division supervisor.
(Leave of absence to run for circuit judge July 1990 through mid-November 1990.)

November 1985 - January 1988: Sole Practitioner; 1645 Palm Beach Lakes Blvd., West Palm Beach, Florida 33401. Practice primarily in the area of criminal defense.

March 1985 - October 1985: Associate; Kohl, Springer, Springer, Mighdoll, Salnick & Krischer, 3003 South Congress Avenue, Suite 1-A, Palm Springs, Florida 33461. General civil and criminal practice including civil and criminal litigation.

February 1984 - March 1985: Associate; Nixon, Hargrave, Devans & Doyle, 1061 East Indiantown Road, Suite 400, Jupiter, Florida 33477. (Current address: Clinton

Square, Post Office Box 1051, Rochester, New York 14603.) General civil practice focusing on civil litigation.

September 1981 - February 1984: Assistant State's Attorney, Felony Trial Division, Office of the State's Attorney, Fifteenth Judicial Circuit, 401 N. Dixie Highway, West Palm Beach, Florida 33401.

December 1982 - February 1984: a Felony Division Chief.

September 1981 - December 1982: a Trial Assistant in the felony division.

August 1980 - September 1981: Certified Legal Intern and then Assistant State's Attorney, Office of the State's Attorney, Eleventh Judicial Circuit, 1350 N.W. 12th Avenue, Miami, Florida 33136.

June 1981 - September 1981: a Trial Assistant in the felony division.

November 1980 - June 1981: Assistant Chief of the traffic court and misdemeanor trial divisions.

August 1980 - November 1980: A Certified Legal Intern and then Trial Assistant in the traffic court and misdemeanor trial divisions.

September 1979 - April 1980: Research Assistant, Professor Neil S. Hecht. I researched and edited materials for a law review article on dying declarations and for *Sum and Substance* on Evidence.

June 1979 - September 1979: Research Assistant, Professor James A. Henderson, Jr. I researched and critiqued materials for a law review article on the extension of strict products liability to non-sellers. The article was ultimately published as follows: James A. Henderson, Jr., *Extending The Boundaries Of Strict Products Liability: Implications Of The Theory Of The Second Best*, 128 U. Penn. L. Rev. 1036 (1980).

June - July 1978: Title Searcher, Carvin and Stein, Braintree, Massachusetts. I researched titles and prepared title abstracts.

Admitted to the Bar in the following jurisdictions:

Florida; District of Columbia; New York; United States Supreme Court; United States Courts of Appeal for the Fifth Circuit.

Teaching:

September 6, 2012. "Seen and Heard: Legal, Practical, and Meaningful Youth Engagement In Court." A team presentation at the Florida Department of Children and Families' Statewide Summit, Orlando, Florida.

March 7, 2013. "Families In Court: Juvenile Fundamentals." A team presentation at the Florida Judicial College, Phase 2, Orlando, Florida. My presentation was on the topics of

Children in Court, the Child as a Witness, Manifest Best Interests (MBI), creating the final judgment in termination of parental rights trials, and dispositional alternatives.

Opinions authored sitting as an Associate Judge at the Fourth District Court Of Appeal: *Suarez-Burgos v. Morhaim*, 745 So. 2d 368 (Fla. 4th DCA 1999) (dissenting opinion);

Mosley v. State, 739 So. 2d 672 (Fla. 4th DCA 1999) (majority opinion);

State v. Luders, 731 So. 2d 163 (Fla. 4th DCA 1999) (concurring opinion);

State v. Gosier, 737 So. 2d 1121 (Fla. 4th DCA 1999) (majority opinion);

RHS Corp. v. City of Boynton Beach, 736 So. 2d 1211 (Fla. 4th DCA 1999) (majority opinion);

Wilson v. State, 734 So. 2d 1107 (Fla. 4th DCA 1999) (concurring opinion).

Committee Memberships:

January 2012 – Present – Member of the Florida Statewide Dependency Court Improvement Panel.

April – May 2012 – Member of the Florida Department of Children and Families Substance Abuse and Mental Health Workgroup on Provider Performance Measures.

1998 - The Florida Supreme Court Committee on Rules to Implement the Criminal Punishment Code.

1995 – 2006 – A founding member of the advisory board of Martin County Character Counts.

May 1993 - January 1994 - Florida Bar Criminal Procedural Rules Committee.

October 1992 - December 1993 - Chair, Martin County Courthouse and COB Advisory Committee.

Community Activities:

I called for and chaired the initial meetings that led to the formation of the Character Counts organizations in Martin and Indian River Counties, and co-chaired the initial meetings that led to the formation of the Character Counts organization in Okeechobee County. I called for and chaired the same meetings in St. Lucie County. I served as a member of the advisory board of Indian River County Character Counts. I served as a member of the advisory board of Martin County Character Counts from its inception in 1995 through December 2006.

Awards:

1996 - "Award For Excellence" from the Florida Council on Crime and Delinquency, Chapter XI.

1996 - 1997 - "Business Partner Award" from the Martin County School District.

1997 - "Community Service Award" from the St. Lucie County School Board for Character Counts.

2000 - "Leadership Award" from the United Way of Martin County for Character Counts.

2011 – Community Advocate of the Year, 19th Circuit, from the Statewide Guardian Ad Litem Program.