



Policy: Diligent Search

ChildNet Number: CN 007.010
Original Approved Date: June 2, 2003
Revised Date(s): March 8, 2012
Policy Sunset Date:
COA Standards: None

Statement of Policy:

It is ChildNet's policy to provide "Diligent Search" efforts on behalf of every child to expedite the process of attaining permanency.

Definitions (If any):

1. "Diligent search" means the efforts by ChildNet to locate a parent or prospective parent whose identity or location is unknown. The search is to be initiated as soon as the whereabouts of the parent is not known by ChildNet staff. The progress of the search is to be reported at each court hearing until the parent is either identified and located or the court excuses further search.
2. "Prospective parent" means a person who claims to be, or has been identified as, a person who may be a mother or a father of a child.
3. "Diligent efforts to locate an adult relative" means a search similar to the diligent search for a parent, but without the continuing obligation to search after an initial adequate search is completed.

Board Chair's Signature: _____

Date: _____

3/23/2012



Procedure: Diligent Search

ChildNet Number: CN 007.010

Original Approved Date: June 2, 2003

Revised Date(s): March 8, 2012, June 10, 2014, April 25, 2018

Procedure Sunset Date:

COA Standards: None

Statement of Procedure:

This operating procedure sets forth the elements to be included in ChildNet's diligent search efforts under Chapter 39, Florida Statutes (F.S.), and Administrative Code.

A. This operating procedure applies to all of ChildNet, and to all cases of dependency and termination of parental rights pursued by ChildNet under Chapter 39, F.S.

I. Unidentified or Unallocated Parents.

A. In case of unidentified or unallocated parents, Florida law requires that the court make inquiries of an available parent, relative, or custodian of the child in dependency proceedings. This information may be provided by in-court testimony under oath or supplied to the court in affidavit form, and must address the following:

1. Whether the mother of the child was married at the probable time of conception or at the time of birth;
2. Whether the mother was cohabiting with a male at the probable time of conception;
3. Whether the mother has received payments or promises of support with respect to the child or because of the pregnancy from a man who claims to be the father,
4. Whether the mother has named any man as the father on the birth certificate of the child or in connection with applying for or receiving public assistance; and,
5. Whether any man has acknowledged or claimed paternity of the child in a jurisdiction in which the mother resided at the time of or since conception of the child, or in which the child has resided or resides.



B. If the parents are deceased, diligent search should be made for a living relative of the child for notice purposes.

II. Scope of Diligent Search. The required minimum scope of diligent search will vary according to the stage of the dependency proceeding as follows:

1. At the initial contact with a child, ChildNet will commence the following diligent search efforts:

a. Inquiry of an available parent or any known and available relatives, neighbors and friends possible within the first seven (7) days; and,

b. Calls to hospitals, law enforcement and Department of Children and Families programs and Department of Juvenile Justice;

2. By the time of the dependency adjudicatory hearing, the following diligent search efforts must be made:

a. Documentation of information relative to paternity outlined in paragraph II.A. above; and,

b. Documentation of diligent search attempts outlined in paragraph 4 below.

3. At the disposition hearing and at each judicial review, progress on the diligent search efforts must be made to the court, unless the court has excused ChildNet from further search.

4. By the time of the termination of parental rights hearing, the parent must be located or further search efforts excused by the court. Diligent searches should be current within the past 6 months. Parents who cannot be personally served must receive notice by publication. The Child Advocate/Dependency Case Manager and the Assistant Attorney General/CLS Attorney must work together to insure that the diligent search is legally sufficient, that all necessary inquiry has been made and that the form of the sworn statement required by Chapter 39, F.S., is legally sufficient to ensure that the notice for publication will be issued.

III. Requirements:

A. The affidavit of diligent search must include the attempts, results, responses and records obtained as a result of the following contacts and inquiries:

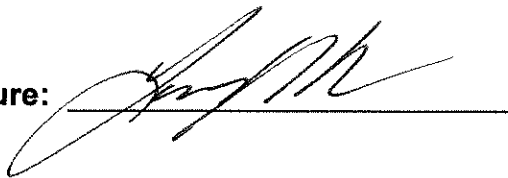
1. All known relatives, as practicable, of the parent or prospective parent, asking them what they know about the parent's location, date of birth, social security number, aliases, veteran status, employment, driver's license



number, criminal charges or convictions, hospitalizations, incarcerations, and other state and federal agencies with which the parents may have been dealing or which could have information about the parents;

2. All program offices of the Department of Children and Families, which may include Economic Services, Alcohol, Drug Abuse and Mental Health (ADM), Children's Medical Services (CMS), Agency for Persons with Disabilities (APD) and all client registration systems used by the programs of DCF which are likely to have information about the parent or prospective parent, including delinquency records;
3. Other state and federal agencies likely to have such information, such as Child Support Enforcement, Department of Motor Vehicles, Voter Registration, and Driver's License Bureau, and the Department of Corrections, Inmate Records. Pursuant to Florida Statute 39, any agency contacted by ChildNet or licensed child-placing agency with a request for information shall release the requested information without the necessity of a subpoena or court order (the Florida Legislature has no authority to impose such a requirement on a federal agency but they must be contacted anyway); and,
4. Telephone directory and directory assistance, schools (if children are with parents), last known employer, utility companies, hospitals, postal providers, law enforcement and taxing agencies, housing authorities, and armed services branches likely to have such information.
5. Pursuant to Florida Statute 39, one thorough search of at least one electronic database specifically designed for locating persons.
6. When the diligent search involves an American Indian or Alaskan Native child, documentation of written correspondence with the child's tribe and to the Secretary of the Interior through the Eastern Regional Office of the Bureau of Indian Affairs shall be documented in the case file by the Services Worker and included in the affidavit, which is filed with the court record.

President's Signature: _____



Date: _____

