

Series: Operating Procedures **COA:** N/A
CFOP: 175-48
Procedure Name: Transfer of Cases Within and Between Districts
Procedure Number: OP-1048
Revision #/Date: (3)/02/05/09
Effective Date: 07/01/99

Applicable to: All CBCB Staff and Contract Care Management Agencies, Children Legal Services

SUBJECT: Transfer of Cases Within and Between Districts

PURPOSE: To establish general requirements for transferring CBC of Brevard cases from one county or judicial circuit to another within and between districts.

PROCEDURE:

References

Rule 8.205, Florida Rules of Juvenile Procedure.

Note: CFOP 175-48 repealed by DCF

General Requirements

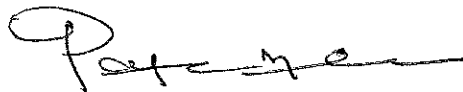
The transfer of an active case from one county or judicial circuit to another within an individual district or between districts shall be handled as follows:

- (a) In both inter- and intra-district transfers, prior to the transfer of a case from one agency to another agency in a different county or judicial circuit, the sending agency must secure the agreement of the receiving agency that it will accept the case. Communications in regard to the transfer must occur through the CBC of Brevard Centralized Intake Unit, and the agreement must be confirmed in writing. If there is an issue that cannot be resolved between the sending and receiving program directors, it must be referred to the CBC of Brevard Director of Operations Child and Family Services for resolution.
- (b) The sending agency must inform the receiving agency of the reason for requesting the transfer, the progress made in the case thus far, and the issues that make continued services necessary. Efforts to maintain consistent services must be given highest priority.
- (c) If the case transfer involves an Interstate Compact case where another state court has jurisdiction, it is only necessary to notify the Florida Interstate Compact central office in writing of the new address of the child/family. The Interstate Compact central office shall then take responsibility for transferring the case to the appropriate district.
- (d) In court ordered cases when a transfer of jurisdiction is desired (for example, when there is a transfer to a different county which would result in a different judge, or when the transfer is to another judicial circuit), the sending agency **must** secure the written agreement of the

receiving agency, pursuant to paragraphs a and b above, prior to the sending agency's child welfare attorney filing a motion for transfer of jurisdiction. The sending agency **must not** transfer the case file to the receiving agency until the court in the sending agency's jurisdiction has entered an order transferring its jurisdiction and certifying the case to the court in the receiving agency's jurisdiction. The sending court must furnish all parties, the clerk, and the state attorney of the receiving court a copy of the order of transfer within five (5) days. The sending agency should also furnish a courtesy copy of the motion for transfer of jurisdiction to the receiving agency at the time the motion is filed.

- (e) The sending agency must ensure the case record is updated and terminate its FSFN (Florida Safe Families Network) provider record, using the date agreed upon with the receiving agency as the transfer date for the FSFN termination date, and using the appropriate termination status code to indicate the type of transfer. A short, concise written transfer summary should be included in the case file. The original agency case record must be sent by certified mail within five (5) working days from receipt of written acceptance from the receiving agency, or, in court ordered cases, from entry of an order transferring jurisdiction or as directed in the court order of transfer. No case should be transferred within 30 days of a court hearing already scheduled in the sending jurisdiction. A copy of the case file and documentation of the case transfer must be kept in the sending agency. Transfer of the court file is accomplished through the respective court clerks' offices.
- (f) Upon receipt of the original case file (including the original birth certificate and social security card for each child), the receiving agency must ensure that the case record is stamped and dated as received, that a new FSFN provider record is added for the receiving agency using the same transfer date agreed upon with the sending agency as the FSFN initiation date, that HSn is updated to reflect changes in client demographic information and living arrangements, and that there is no lapse in services. Within 5 working days of receipt, the receiving district shall notify the sending district of receipt and discuss any remaining relevant issues.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:



DR. PATRICIA NELLIUS-GUTHRIE
Chief Executive Officer
CBC of Brevard, Inc.

APPROVAL DATE: 3/2/09