

South Carolina  
Children’s Justice Act Task Force

Three-Year Report  
May 2006 – April 2009

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## I. Introduction

### A. CJA Background<sup>1</sup>

The Children's Justice Act (CJA) provides grants to states to improve the investigation, prosecution, and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim. This also includes the handling of child fatality cases in which child abuse or neglect is suspected and some cases of children with disabilities and serious health problems who also are victims of abuse and neglect.

Since Fiscal Year 2000, \$17 million in CJA funds have been made available annually for distribution to states and territories. States must apply for the funds and meet certain eligibility requirements, including receipt of the Child Abuse Prevention and Treatment Act (CAPTA) State Grant and establishment of a CJA Task Force as outlined in the legislation. Funds are allocated in the amount of \$50,000 per state, plus an additional amount based on the population of children under 18 years of age in the applicant's jurisdiction. Funding comes from the Crime Victims' Fund, which collects fines and fees charged to persons convicted of federal crimes. The Fund is administered by the U.S. Department of Justice, Office of Victims of Crime, and the grants are awarded by the Administration on Children, Youth, and Families, U.S. Department of Health and Human Services, as outlined in Section 107 of CAPTA, as amended by the Keeping Children and Families Safe Act of 2003.

To be eligible for CJA funds, states must be eligible for the CAPTA basic state grant and are required to establish and maintain a multidisciplinary task force on children's justice. The task force is to be comprised of representatives from selected disciplines involved in handling child abuse and neglect cases. The task force makes policy and training recommendations regarding methods to better handle these cases, with the expectation that it will result in reduced trauma to the child victim and the victim's family, while ensuring fairness to the accused.

Every three years after the initial award, the state task force is required by legislation to conduct a comprehensive evaluation of the state's systems related to the investigative, administrative, and judicial handling of child abuse, neglect, and exploitation cases and child maltreatment -related fatalities, and make recommendations for improvements to those systems.

The governor in each state designates the agency to administer CJA funds. In South Carolina, the Department of Social Services has been designated the state's grantee.

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<sup>1</sup> The following information was taken from the website of the U.S. Department of Health and Human Services, Administration for Children & Families, [www.acf.hhs.gov/programs/cb/programs\\_fund/state\\_tribal/justice\\_act](http://www.acf.hhs.gov/programs/cb/programs_fund/state_tribal/justice_act).

## B. Overview of S.C. CJA Task Force

South Carolina has maintained an active Children's Justice Act Task Force since 1994. The purpose and activities of the Task Force, as defined by its bylaws and federal statute, are as follow:

- To conduct an assessment of the state's systems responding to abused and neglected children at three-year intervals;
- To adopt recommendations in each of the CJA categories;
- To work towards implementation of these recommendations;
- To recommend to the state's grantee (S.C. Department of Social Services) projects to be supported by the CJA grant funds; and
- To express positions on legislation or state policy issues, consistent with its mission and recommendations.

The CJA Task Force is governed by bylaws, which were adopted in 1998 and most recently revised on January 19, 2007. In accordance with the bylaws, the Task Force meets at least quarterly. Standing committees are formed every three years to coincide with adoption of recommendations. Each committee meets as needed, at least quarterly, to follow through implementation of the recommendations adopted by the Task Force. Nearly all members serve on a committee.

The Task Force is self-perpetuating, through an election process held every three years. Current members propose new members to the Nominating Committee, which prepares a slate of nominees, ensuring multi-disciplinary and diverse membership. New members are elected for three-year terms by a majority vote of the Task Force. Officers include a Chair and Vice-Chair, who are also elected by the Task Force.

Election of members for the 2006-09 period was completed in December 2005. Several members resigned during the period, and vacancies were filled by appointment of the Chair as necessary to maintain appropriate representation. The Task Force has twenty-eight members, reflecting all required disciplines. Attachment A includes a list of members with their designations.

Tana Vanderbilt, an attorney, is the Task Force Chairperson, and Valerie Williams, a law enforcement officer, is the Vice-Chair. Two committees merged during this period, resulting in three standing committees: (1) Child Protection/ Family Court; (2) Prosecution; and (3) Legislative. Louise Cooper, the Director of the South Carolina Guardian ad Litem Program, and Pam Robinson, an attorney for children, are co-chairs of the Child Protection/Family Court Committee. Brenda Brisbin, a prosecutor, is the chair of the Prosecution Committee. The chairperson of the Legislative Committee is Beebe James, a retired professional who previously served as coordinator of the Network of Children's Advocacy Centers and Director of Prevent Child Abuse South Carolina.

As directed by the Task Force, the Department of Social Services established a contract with the Children's Law Center, School of Law, University of South Carolina, to implement the CJA grant. The Children's Law Center provided staff support to the Task Force, including logistical arrangements for meetings and research activities. The Children's Law Center carried out the training recommendations of the Task Force and assigned a staff person to each committee to assist with implementation of policy recommendations.

### C. 2006 Assessment

In January 2006, the Task Force initiated a review and assessment of the state's systems that respond to abused and neglected children. The first step in the assessment process was to review existing reports relevant to CJA. The Task Force divided into three groups to study the following reports:

- Child and Family Services Review reports
- Program Improvement Plan, S.C. DSS
- Citizen Review Panel Report
- Kids Count
- Foster Care Review Board Annual Report
- Joint Guardian ad Litem Study Committee Report
- Arrest and Disposition Data, and
- Child Fatality Annual Report.

Task Force members were also asked to discuss issues with their colleagues to gain additional input.

The Task Force held a work session on February 17, 2006, to discuss the information obtained and to preliminarily identify problems and needs appropriate for the Task Force to address. Committees were also formed at this meeting and were assigned certain issues to further develop.

The three committees worked independently during the month of March to define the issues further and to formulate recommendations. The proposed recommendations from all committees were compiled and distributed to the Task Force for review.

At the Task Force meeting on April 21, 2006, committees met separately to review their proposed recommendations, discuss action steps, and to assign time frames for implementation. A spokesperson for each committee presented its recommendations to the full group. After additional discussion and modification, the Task Force adopted recommendations for the upcoming three year period. Progress on the implementation of each of these recommendations is described in Section III. In Section II, selected accomplishments are highlighted.

## II. Accomplishments

This section describes selected accomplishments of the South Carolina CJA Task Force.

### A. Training

The Task Force recommended a range of training programs to improve the state's handling of child abuse and neglect cases. Several of these programs are described in this section.

- Forensic Interviewing Training

CJA funds have been used to develop and operate a statewide forensic interviewing training program which began in 2001 as *Finding Words South Carolina*, now known as *Child First*. The Children's Law Center administers this ongoing training program in partnership with the Assessment and Resource Center (ARC) of the S.C. Department of Mental Health. The ARC is the Children's Advocacy Center of Richland County.

This intensive, practical training program is provided for frontline forensic interviewers. Three or four week-long sessions are held each year. Participants must complete advance reading assignments, attend the entire week of training, participate in mock interviews, and pass an end of course test. Initial attendees from each county must participate as a multi-disciplinary team.

From March 2001 through April 2009, 615 professionals have successfully completed this training program. Participants primarily include children's advocacy center interviewers, law enforcement officers, child protection workers, and prosecutors. In addition to having good representation of disciplines, this program has reached into nearly all geographic regions of the state. Teams from 37 of the state's 46 counties have attended, with both urban and rural regions represented. Moreover, at least one team has attended from 15 of the 16 judicial circuits in the state.

Because this course is conducted on a regular, ongoing basis, it is having a dramatic impact on the investigation of child abuse. Evaluations are consistently very positive, and follow-up surveys demonstrate that graduates of this course are applying the interviewing techniques learned and that skills have significantly improved.

- Training for Medical Providers on Abusive Head Trauma

As recommended by the Task Force, CJA funds were used to assist the South Carolina Professional Society on the Abuse of Children (SCPSAC) and the College of Medicine, Medical University of South Carolina, in presenting an Abusive Head Trauma Institute for medical professionals on April 16, 2008. The Institute was held at the Hyatt Regency in Greenville in conjunction with the SCPSAC Annual Colloquium. The

Institute provided a complete overview of abusive head trauma, including clinical indicators, diagnostic assessment, mimics, neuroradiology, ophthalmology exam, pathology, and forensic controversies. The Medical University of South Carolina provided continuing medical education units for physicians. Twenty medical professionals participated in this training, which will lead to improved assessment of abusive head trauma.

- Training on Investigation of Child Homicides

A two-day course for law enforcement investigators and coroners was held on March 11-12, 2008. Topics included an overview of sudden unexplained infant death investigation, South Carolina's child fatality review system, crime scene and forensic evidence, interviewing and detection of deception, medical aspects, and abusive head trauma. Evaluations revealed that the training was excellent.

- Training for Multi-disciplinary Child Abuse Investigation Teams

An in-depth training process for county teams began in early 2008. The first phase involved a two-day centralized training session on February 11-12, 2008, that addressed investigation, evidence, court processing, the roles and responsibilities of each team member, and team functioning. A session on coordination of family court and criminal court proceedings was presented by representatives of a pilot project. Approximately 100 professionals, representing 12 county teams, participated in the initial training session.

In the second phase, each team completed questionnaires regarding their functioning as a team. During the third phase, completed from March through May, each team participated in an in-county work session, facilitated by the Team Consultant, to review the self-assessment and complete protocol development or revision. The Consultant then provided follow-up recommendations for continued optimal team functioning.

- Training and Services for Attorneys Appointed in Child Protection Cases

The Task Force recommended expanded training and awareness of services for attorneys appointed in child protection proceedings. Although South Carolina has well-established volunteer guardian ad litem programs, an attorney must be appointed in some cases due to a conflict or lack of availability of a volunteer. Attorneys are also subject to appointment to represent parents who cannot afford to hire a lawyer. Through additional funding from the South Carolina Bar Foundation and the Court Improvement Training Grant, the Children's Law Center expanded services for court appointed attorneys and worked to increase awareness about these services.

Two attorney trainers, one full-time and one part-time, were hired in 2007 to implement these initiatives. One-day continuing legal education programs for appointed attorneys are being held in each of the state's 16 judicial circuits. This training is consistent with ABA guidelines. Training announcements are sent to all attorneys eligible for civil

appointments. Flyers describing services are also sent to county clerks of court to attach to appointment orders. This training program is comprehensive and ongoing, and thus is beginning to have significant impact on the representation of children and parents in child protection proceedings.

#### B. Support the S.C. Network of Children's Advocacy Centers

In 1996, the CJA Task Force formed a committee to focus on the development of child abuse assessment and treatment centers. This committee expanded and eventually became the South Carolina Network of Children's Advocacy Centers, a state chapter of the National Children's Alliance.

In 2004, legislation was enacted that provides a statutory basis for children's advocacy centers. In 2006 and 2007, the Network took significant steps toward formalizing its organizational structure, including incorporation as a nonprofit corporation, attainment of tax-exempt status through the IRS, and revision of bylaws. The Network worked with the Duke Endowment to obtain grants for accredited centers to develop an evaluation process. The Network also worked collaboratively with the Children's Hospital Collaborative to initiate the South Carolina Child Advocacy Medical Response System, to upgrade medical resources statewide for response to victims of child maltreatment.

The Network provides a range of services to its member centers, including training opportunities and the establishment of guidelines for certain areas of practice. The Network also, with assistance from the Children's Law Center and other organizations, annually hosts the Joining Hands to Protect Children Workshop and Luncheon.

CJA funds have continued to be used to provide in-kind support to the Network. The Children's Law Center provides office space for the Executive Director, including a separate office, basic office furniture, day-to-day supplies, telephone and Internet access, a computer and accessories, and access to a copier and fax machine. Parking and access to a conference room are provided. Additionally, the Children's Law Center offers limited administrative support for meeting arrangements and special functions. The CJA Task Force also assisted the Network in publishing an information packet for partner agencies on working with children's advocacy centers.

The Network has grown to encompass 18 centers, including 11 that are fully accredited by the National Children's Alliance. The Network sponsored its sixth annual Joining Hands to Protect Children event on April 14, 2009, which was attended by over 200 children's advocacy center representatives and community partners. The Children's Advocacy Center approach is widely believed to significantly improve the system that serves abused and neglected children.

#### C. Court Coordination Protocol

The Task Force previously recommended the adoption of procedures to improve the coordination between child protection cases in family court and related criminal

proceedings. The Task Force discussed its concerns with Judge Lee S. Alford, and sponsored a roundtable in December 1998 which Judge Alford facilitated. Discussion at the roundtable underscored the need to address problems created by two disjointed court processes and led to the suggestion that a special task force be established to focus on this issue.

Judge Alford presented this suggestion to Chief Justice Jean Toal who, after consulting with the Family and Circuit Court Advisory Committees, appointed a task force to study the potential coordination of these proceedings. The Court Coordination Task Force was comprised of seven family court judges and two circuit court judges, along with representatives of the S.C. Department of Social Services, S.C. Solicitors' Association, S.C. Bar, and S.C. Court Administration. The group held its first meeting in August 2001, and worked for two years to develop processes for coordination.

The Court Coordination Task Force concluded that the best approach under South Carolina's court structure was to establish an Administrative Order for coordination of dual proceedings. Because the recommended procedures involved organizations outside of the court, community protocols were also an aspect of the proposed Administrative Order. The model protocol encompassed coordination in investigation, methods for informing courts of other related actions, joint settlement offers, and tracking cases according to the defendant's plea.

The Court Coordination Task Force finalized its work on the Administrative Order /Model Protocol in August 2003 and, upon direction of the Chief Justice, solicited input from the South Carolina Solicitors' Association, South Carolina Department of Social Services, Family Court Advisory Committee, and Circuit Court Advisory Committee. Several counties then established pilot projects utilizing the protocol.

The Children's Law Center, in conjunction with attorneys who implemented the pilot in Aiken County, made minor revisions in the protocol based on its utilization in practice. The revised protocol was re-submitted to the Supreme Court, and Chief Justice Toal issued an administrative order approving statewide implementation on April 29, 2009. The Children's Law Center will continue to offer assistance and training related to implementation.

Attorneys who used the protocol during the pilot period found it to be very helpful. They found that the increased communication with law enforcement and prosecution agencies led to additional information that improved investigations. Coordination in case processing also reduced delays and decreased the additional trauma children are likely to experience as a result of involvement in two different court systems.

#### D. Operation of the Children's Law Center

The Children's Law Office (now Center) was established in 1995 upon recommendation of the Task Force to establish an interdisciplinary training and resource facility. The Children's Law Center has continued to provide staff support to the Task Force and

serves as its training arm. The Children's Law Center, administered by the University of South Carolina School of Law, is a model program that works to improve the quality of child abuse and neglect proceedings, thereby leading to better outcomes for children. The mission and functions of the Children's Law Center parallel the CJA goals of improving investigative and judicial handling of child abuse and neglect cases and enhancing the effectiveness of court-appointed attorneys and guardians ad litem. Activities focus on enhancing the knowledge and skills of the professionals involved in investigation, prosecution, and child protection proceedings.

Children's Justice Act funds are complemented by other funding sources to provide an array of supportive services to a broad range of professionals. The Center offers a variety of training programs on child maltreatment to child protection caseworkers, family court staff, guardians ad litem, law enforcement officers, prosecutors, and other child serving professionals. The Center trains persons who are mandated by law to report suspected child abuse, and administers the Child First (previously Finding Words) forensic interviewing course.

The Center maintains a library specializing in children's law and a website containing online publications, training information, and other resources. The Center prepares and distributes resource materials on child protection and prosecution.

#### E. Children's Out-of-Court Statements

The CJA Task Force previously recommended the adoption of a statute expanding admission of out-of-court statements of children in criminal child abuse proceedings. Task Force members collaborated with other groups to research, review a proposed amendment, and respond to questions from legislators. Legislation allowing admission of children's out-of-court statements under certain conditions became effective July 1, 2006. The Task Force supported the proposed amendment, believing that it would increase the likelihood of convictions in child sexual abuse cases and minimize trauma to child witnesses. The Children's Law Center and the Commission on Prosecution Coordination provided extensive training throughout the state on the operation of the amendment.

### III. Review of Recommendations

This section reviews all of the recommendations that the Task Force adopted in 2006, noting accomplishments or progress toward implementation.

***Category I. Investigative, administrative, and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as interstate, federal-state, and state-tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused.***

#### **A. Training Recommendations**

*I.A.1. Provide an intensive training course for child abuse investigators that will complement forensic interviewing training. Topics will include the identification and collection of corroborating evidence, interrogation of suspects, developmental abilities of children, medical examination findings, and charging decisions.*

Accomplished. The Children's Law Center sponsored a one day course that was held April 4, 2007, at the Criminal Justice Academy. Fifty-one law enforcement officers from around the state attended the course. Evaluations submitted by attendees demonstrated that the course was well-received. In March of 2009, the Children's Law Center applied for a Justice Assistance Grant to hire a Law Enforcement Instructor who would, among other tasks, implement an ongoing child abuse investigation training program.

*I.A.2. Provide training on the investigation and prosecution of child homicide cases, particularly homicides caused by abusive head trauma. Topics will include the importance of a rapid response, medical findings, and combating typical defenses. Assist in the development of a standardized protocol for investigation of child homicides.*

Substantial progress. The Children's Law Center sponsored a two-day course for law enforcement investigators and coroners on March 11-12, 2008. Law enforcement and medical professionals presented the training. Ninety law enforcement officers and coroner's office employees attended the training which included the following topics: an overview of sudden unexplained infant death investigation, South Carolina's child fatality review system, crime scene and forensic evidence, interviewing and detection of deception, medical aspects, and abusive head trauma.

The Prosecution Committee of the CJA Task Force developed a pocket crime scene checklist for law enforcement officers which has been distributed at various training events. The Committee drafted a protocol for coroners and received feedback during the fatal child maltreatment training in early 2008 and through informal contact with the Coroner's Association. The Committee also learned that the Citizen's Review Panel

identified issues involved in local child death investigations. In consideration of the feedback received on the draft protocol and the issues identified by the Citizen Review Panel, the Committee determined that the next step should be to develop an ongoing training plan. The plan involves regional training sessions for law enforcement officers and coroners, and will include death scene investigations, medical aspects, data collection, utilizing protocols for investigations, and multidisciplinary team investigations of child fatalities. This training plan will be implemented during the 2009 – 2012 period.

*I.A.3. Provide training for medical providers on the assessment and diagnosis of head injuries in young children. The training should involve pediatricians, pathologists, emergency room physicians, and nurse practitioners, and continuing medical education units should be made available.*

Accomplished. The Medical University of South Carolina, the South Carolina Professional Society on the Abuse of Children (SCPSAC), and the Children's Law Center jointly sponsored an institute on abusive head trauma for medical professionals. The one-day session was held on April 16, 2008, in conjunction with SCPSAC's Annual Colloquium. The Medical University of South Carolina designated the training for continuing medical education units (6 AMA PRA Category 1 credits). The following topics were addressed: Clinical Indicators, Diagnostic Assessment, and mimics of Abusive Head Trauma (AHT); Neuroradiology of AHT; Ophthalmology Evaluation; Pathology of AHT; and Forensic Controversies.

*I.A.4. Provide training for legal professionals on the evaluation and treatability of sex offenders, including appropriate qualifications of mental health providers. Prepare written materials to assist prosecutors in the qualification of expert witnesses on sex offender evaluation and treatment.*

Substantial progress on alternative recommendation. After initial study of this recommendation, the Prosecution Committee determined that there was no need for training of legal professionals on evaluation and treatment of sex offenders. Rather, the Committee recommended the exploration of standards applicable to professionals treating sex offenders. The Committee formed an ad hoc work group of professionals who treat juvenile and adult sex offenders. (See III.2. below.) Prosecution Committee continues work on standards applicable to professionals treating sex offenders and will then explore development of information resources for legal professionals..

*I.A.5. Provide investigative protocol training to county multi-disciplinary teams.*

Accomplished. Approximately 100 professionals, representing 12 county teams, completed a three-phase multi-disciplinary training program. The teams included law enforcement officers, child protection workers, prosecutors, children's advocacy center staff, and other professionals. Phase 1, a centralized training session, was held on February 11-12, 2008. This session provided information on the roles and responsibilities of each agency and working as a team. In Phase 2, teams independently completed questionnaires regarding their functioning as a team and

submitted them to the Team Consultant, who was contracted to assist with this project. In Phase 3, each county conducted a follow-up session with the Team Consultant to work on protocol development or other issues related to team functioning. These sessions were held March through May, 2008.

The Children's Law Center is developing plans to offer the team training program on a regular basis for new teams as well as ongoing support to existing teams. A staff person is in the process of reviewing written evaluations from Phase I and seeking feedback from participants regarding the overall structure of the training program. The team training program will be modified to incorporate any suggestions from previous participants and Task Force members.

*I.A.6. Recommend and monitor the reinstatement by S.C. DSS of advanced training for child protection investigators specializing in sexual abuse.*

Accomplished. The Department of Social Services implemented a requirement that all child protection workers participate in training on sexual abuse. Additionally, the Department of Social Services has initiated a review of its basic training program for caseworkers.

*I.A.7. Provide training for DSS attorneys on docket management and methods for expediting cases.*

Accomplished. Court Administration, with support from the Children's Law Center, held a Mini Summit on Justice for Children August 22, 2006, for DSS attorneys, DSS county directors, and family court judges. This one day event included sessions on docket management and the impact of delayed permanency on children. Additionally, each circuit developed an action plan for addressing delayed merits and permanency planning hearings.

DSS has emphasized its monitoring of the timeliness of merits and permanency planning hearings. For the last year, monthly agency reports summarizing the timeliness of hearings have been distributed to county attorneys, county directors, and family court judges.

DSS and Court Administration staff participated in a best practice meeting in Denver, Colorado in June 2008 to learn about data information transfers between the agency and courts. This trip was made possible through a Duke Foundation grant to seek best practice approaches; the Children's Law Center assisted DSS in preparing this grant proposal.

DSS is developing a legal case management system to assist county attorneys with their case tracking processes. DSS established a contract with an information technology vendor, and system design is underway. Court Administration is assisting with funds for this project through a Court Improvement Data Technology grant. The legal case management system is expected to be in use statewide by September 2009.

The Bench Bar Committee is developing best legal practices, which will include issues related to docket management and reducing delays in case processing. The DSS Office of General Counsel and several county attorneys are assisting with this effort. It is anticipated that the Bench Bar Committee will finalize its best practice recommendations in May 2009.

*I.A.8. Provide training for child abuse professionals on the recognition of children with disabilities and availability of resources.*

Substantial progress. The Annual Children's Law Conference, held on October 18-19, 2007, featured Dr. Nora Baladerian, a renowned expert in this area. She presented sessions on children with disabilities in the legal system, identification and investigation of child maltreatment of children with disabilities, and effects of disabilities on behavior.

In early 2009, the Task Force increased the number of members who are experienced in working with children with disabilities. These members will assist in developing ongoing training programs to improve the handling of cases of children who have disabilities and are abused.

*I.A.9. Provide training at the mandatory JCLEs and for new judges to include issues related to continuances, improving the timeline for permanency planning, emancipation, and independent living services.*

Accomplished. Training for judges on child protection matters has increased. All family court judges were required to attend the Mini Summit on Justice for Children in August of 2006, which focused on permanency planning. A second Mini Summit is planned for 2010.

Court Administration sought a Court Improvement Training Grant, and subcontracted with the Children's Law Center to develop and conduct a variety of training programs for legal professionals. As part of this project, Court Administration committed to having presentations or disseminating materials at three mandatory judicial events per year. Information has been conveyed to family court judges as follows:

- December 2006 - Bench Bar CLE  
Presentation on permanency planning issues
- April 2007 – Family Court Judges Spring Meeting  
Distributed the following materials: child protection hearing checklists, a discussion of the importance of permanency planning and allowable permanent plans, and termination of parental rights procedures and grounds.
- August 2007 – Annual Judicial Conference  
Presentation on 2007 legislation

- December 2007 – Bench Bar CLE  
Presentation on publications and resources available through the Children’s Law Center
- April 2008 – Family Court Judges Spring Meeting  
Distributed directory with contact information and basic procedures for each county court
- August 2008 – Annual Judicial Conference  
Presentation on the Court Improvement Training Grant and plans to meet with chief judges regarding training needs for their circuits
- December 2008 – Bench Bar CLE  
Provided publications on permanency planning hearings and termination of parental rights
- April 2009 – Family Court Judges Spring Meeting  
Provided a written overview of guardians ad litem for children in various types of family court proceedings, including qualifications, training requirements, duties, and accountability

Attorneys with the Children’s Law Center and DSS Office of General Counsel regularly present an overview of child protection proceedings in conjunction with orientation for new family court judges each summer. Additionally, the judges receive a detailed manual with information about each type of proceedings, the roles of key participants, and evidentiary requirements.

Additionally, the Court Improvement Training Grant provides for two judges each year to attend a national training conference related to child welfare issues. The judges are selected in collaboration with Court Administration.

*I.A.10. Conduct annual forensic forums involving law enforcement, DSS, Children’s Advocacy Centers, and guardians ad litem to provide updates and discussion of joint procedures and protocols.*

Deferred. The Task Force determined that this goal was being incorporated into other activities being conducted by a number of sources

*I.A.11. Provide training to private guardians ad litem on the identification and reporting of child maltreatment, including problems of methamphetamine exposure. Include issues regarding problems associated with methamphetamine in trainings for volunteer guardians ad litem.*

Accomplished. The Children’s Law Center obtained a South Carolina Bar Foundation grant to hire an instructor to develop training programs for attorney and lay guardians ad litem in private custody cases. Four regional sessions have been conducted each year

beginning in 2007. The training sessions address identification and reporting of child maltreatment, including concerns related to methamphetamine exposure.

## **B. Recommendations for Resource Development**

*I.B.1. Develop a network of expert medical witnesses, including forensic pathologists, for criminal investigation and prosecution of child sexual abuse and child homicide cases.*

Accomplished. A list of expert witnesses is available on the Children's Law Center website, divided into medical experts and psychological/forensic interviewing experts. The list will be continually updated as additional experts are identified and agree to participate. Additionally, the Children's Law Center published an information packet on expert witnesses.

*I.B.2. Develop resources for forensic interviewers involved in the investigation of abused children who have English as a second language or who have disabilities which interfere with their ability to communicate.*

Substantial progress. Development of resources continues. Prosecution Committee has coordinated with Dr. Deborah Reyes who is a Task Force member and has experience in the area of forensic interviewing of children with disabilities. The Committee has also coordinated with Roger Williams at DMH regarding deaf and hearing-impaired children. Mr. Williams offered several training options. The Committee sent requests for information to CACs and has assessed the responses. The Committee will work to develop an information resource for CACs and will continue coordination efforts in the 2009-2011 cycle.

*I.B.3. Prepare an information packet on working with Children's Advocacy Centers, addressing the involvement of CACs in the investigative process and including methods for coordination of interviews and sample protocols. Encourage incorporation of this information into basic training for DSS and law enforcement.*

Accomplished. The former president of the state's network of children's advocacy centers prepared this packet in collaboration with the network. The packet was printed and is available through the Children's Law Center and children's advocacy centers throughout the state.

*I.B.4. Educate judges, prosecutors, law enforcement, and caseworkers about forensic examinations of sexually abused children to explain common findings and establish an understanding that lack of physical evidence is not conclusive that no abuse occurred. Publication of newsletter articles, website postings, and other means will be utilized for this purpose.*

Accomplished. In the initial training session for multi-disciplinary teams, Dr. Olga Rosa presented about the common findings of forensic examinations, including a discussion

about lack of physical evidence. Prosecutors, law enforcement officers, caseworkers, and Children's Advocacy Center staff attended the training. Additionally, the Children's Law Center, in collaboration with Task Force members and with assistance from Dr. Rosa, converted presentations to an information packet format. The information packet explains the reasons that a normal medical examination does not rule out sexual abuse.

*I.B.5. Update the Children's Law Office resource manual to include service providers available to Spanish speaking individuals, and make it available on the Web.*

Accomplished. Law student volunteers assisted in the identification of resources available to Spanish speaking individuals. The Children's Law Center updated the resource manual and reformatted it as a website resource. Task Force members reviewed the material and offered suggestions, which were incorporated into the online manual.

***Category II. Experimental, model and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused.***

*II.1. Establish a partnership with community child abuse prevention organizations for the purpose of enhancing public knowledge of the prosecution of child abuse cases, particularly child sexual abuse, in the absence of corroborating physical evidence. Investigators and prosecutors will utilize a training-of-trainers model to provide information to community education professionals which can be incorporated into presentations for public groups.*

Incomplete. The Prosecution Committee early in the CJA 2006-09 cycle established contact with several statewide child abuse prevention organizations. About midway through the cycle, child abuse prevention organizations experienced some structural changes and that process delayed active partnerships. The Children's Trust Fund now appears the most well-suited organization with which to partner. The Executive Director of the Children's Trust Fund has spoken to the Task Force and agreed to explore possible methods to jointly implement this recommendation.

*II.2. Increase awareness of the services provided by the Children's Law Office to assist attorneys appointed in child protection cases. Consider expansion of services.*

Accomplished. The Children's Law Center has expanded services for court appointed attorneys in addition to increasing awareness about these services. Through a grant from the South Carolina Bar Foundation, a part-time attorney was hired to expand training and services for attorneys appointed to represent children. Additionally, South Carolina Court Administration obtained a Court Improvement Training Grant which was

subcontracted to the Children's Law Center. This grant supports training for guardians ad litem and attorneys appointed to represent both children and parents. These combined resources support one-day continuing legal education programs for appointed attorneys which are held in each of the state's 16 judicial circuits each year. The training is consistent with ABA guidelines.

In addition to training for appointed attorneys, the S.C. Guardian ad Litem Program and the Children's Law Center have begun hosting bi-annual training sessions for attorneys who are hired or contracted to represent volunteer guardians.

The Children's Law Center continues to promote awareness of its services through distribution of materials at training events. A flyer on services available to appointed attorneys was prepared and distributed to county clerks of court to attach to attorney appointment orders. The Guide for Appointed Attorneys has been updated to include practice tips for attorneys representing parents. The Guide is distributed at training events and is available upon request or via website.

### *II.3. Increase recruitment of Spanish-speaking volunteer GALs.*

In process. The Guardian ad Litem Program has undertaken a grassroots level recruitment plan targeted to Spanish speaking individuals.

### *II.4. Support growth of Children's Advocacy Centers in South Carolina by providing assistance to the South Carolina Network of Children's Advocacy Centers.*

Accomplished. The Children's Law Center provides office space for the Network's Executive Director, including a computer, telephone and Internet access, daily supplies, use of office equipment, and access to meeting rooms. Through CJA funds, the Children's Law Center also provides limited administrative support on a continuing basis.

The Network has grown to encompass 18 centers, including 11 that are fully accredited by the National Children's Alliance. The Network sponsored its sixth annual Joining Hands to Protect Children event on April 14, 2009, which was attended by over 200 children's advocacy center representatives and community partners.

### *II.5 Support implementation of the Model Administrative Order / Community Protocol for Coordination of Family Court Child Protection and Criminal Child Abuse Proceedings.*

Substantial progress. Pilot projects were initiated, and one county (Aiken) continues to effectively implement the protocol. DSS county attorneys and representatives from the solicitor's office in Aiken conducted training sessions on the protocol at the multi-disciplinary team training in February 2008 and at the annual children's law conference in October 2008. Based on input from the Aiken County team, minor revisions were made in the protocol. The Chief Justice issued an administrative order approving statewide implementation on April 29, 2009.

*II.6. Operate the Children's Law Office, a training and information resource center for professionals involved in child maltreatment proceedings.*

Ongoing. The Children's Law Office, now designated as a Center, continues to support the Task Force and assist in implementation of its recommendations. The Children's Law Center provides training, information, and publications to all professionals involved in child maltreatment proceedings.

***Category III. Reform of state laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, particularly sexual abuse and exploitation, while ensuring fairness to all affected persons.***

*III.1. Establish a process within the Task Force to monitor, research, and take positions when appropriate on proposed legislation affecting children. Make information concerning proposed legislation affecting children available to interested persons and organizations, and collaborate with other organizations to present a unified legislative agenda when possible. Advocate for legislation initiated or endorsed by the Task Force.*

Accomplished. After conferring with federal officials and other states, the Task Force clarified its role regarding legislative reforms. The Task Force revised its bylaws to establish a procedure for a timely response to legislative issues. A new legislative committee has monitored proposed legislation, kept the Task Force apprised of issues, and acted as liaison with other organizations.

*III.2. Propose to State agencies and professional licensing boards that they require mental health providers who evaluate or treat child sexual offenders to be qualified based on appropriate credentials, specialized training, and experience.*

Progress on alternative. Independent of the action of the CJA Task Force, a bill was introduced to require certification of professionals treating sex offenders, but it did not pass. The Prosecution Committee then drafted and circulated within the Task Force a proposed statute for licensing of sex offender treatment providers. After further discussion, the Task Force decided to establish a study committee to consider the range of issues involved with establishing certification of sex offender treatment providers. A working group which includes treatment providers began meeting in October of 2008 and will continue to explore methods to ensure that sex offenders' therapists have appropriate qualifications.

*III.3. Support adoption of a statute expanding admission of out-of-court statements in criminal child abuse proceedings.*

Accomplished. The Sex Offender Accountability and Protection of Minor's Act, known as Jessie's Law was enacted by the General Assembly and became effective on July 1,

2006. This new statute provides for the admission of out-of-court statements under certain circumstances. The Commission on Prosecution Coordination and the Children's Law Center conducted multiple training sessions on the provisions. The new statute has been used successfully in criminal proceedings.

*III.4. Study, propose, and support statutory and/or procedural changes to address evidentiary issues related to criminal prosecution of abuse and neglect of special needs children and evidentiary issues related to the prior criminal background of a defendant in criminal prosecution for child abuse. Explore possible adoption of Federal Rule 414.*

Deferred. The Prosecution Committee proposed a change to South Carolina Rule of Evidence 404(b), and submitted it for consideration to the Practice and Procedure Committee of the South Carolina Bar (February 2007) and Criminal Law Subcommittee (December 2007). Neither committee recommended approval. The Task Force concluded that obtaining the endorsement of the South Carolina Bar was not likely, and that without this endorsement further efforts to change an evidentiary rule would be futile. The South Carolina Supreme Court issued decisions which clarify, but did not expand, the admission of other acts evidence.

*III.5. Study, propose, and support an amendment of the criminal sexual conduct with a minor statute to decriminalize unforced sexual activity between teenagers.*

Ongoing. Sexual activity between teenagers of certain ages was decriminalized through enactment of Jessie's Law in 2006. However, the specific provision was controversial and further amendments were proposed. An amendment to recriminalize teenage sexual activity at the misdemeanor level was introduced but did not pass during the 2008 legislative session. The mistake of age defense, which had been incorporated in the CSC w/minor 2<sup>nd</sup> law in 2006, was eliminated in the 2008 legislative session. Future legislative efforts to recriminalize teenage sexual activity are likely. The Prosecution Committee continues to monitor legislative developments.

*III.6. Develop methods to improve implementation and coordination of services for abused and neglected children. Examine mandates of existing organizations and identify overlap and gaps in services. Explore development of a Child Protective Coordinating Council or legislative reforms to enhance coordination.*

Substantial progress. In response to a legislator's request, the Children's Law Center and Task Force drafted a proposal to establish a Child Protection Coordination Council. The legislator did not introduce the bill, however.

The General Assembly adopted Act 251 in the 2008 session to establish a Joint Citizens and Legislative Committee on Children. The Joint Committee has been established and includes three gubernatorial appointees, three senators, three representatives, and five agency directors who serve on an ex officio basis. The first meeting of the Joint Committee was held on April 22, 2009, and another meeting is scheduled for May 21, 2009. One of the purposes of the Joint Committee is to offer

coordination for legislative efforts and policy and to promote coordination and efficiency of children's services.

*III.7. Promote South Carolina's protocol for children exposed to methamphetamine production. Monitor implementation of protocol and modify as needed.*

Substantial progress. The protocol was completed in 2005 and endorsed by state level representatives of law enforcement, child protection, and medical response organizations. The protocol was disseminated through these organizations and continues to be available on the Children's Law Center website. Training has been conducted through a series of conferences sponsored by the Methamphetamine Action Group of the Governor's Council on Substance Abuse, and through in-house training by the Department of Social Services.

Task Force representatives met with the Governor's Council on Substance Abuse in December of 2006, and the Council agreed to the formation of a state chapter of the National Drug Endangered Alliance through the Meth Action Group. The plan was for the state chapter to assume ongoing responsibility for monitoring implementation of the protocol, modifying it as needed, and coordinating training. However, the National Drug Endangered Children Alliance was new at that time and its state chapter system was not well established. There has been no organized follow up on implementation of the protocol, although the Meth Action Group continues to support training efforts.

The state's Child Fatality Advisory Committee has recently voiced concerns related to the connection of substance abuse by parents and fatal child maltreatment. The Department of Social Services is obtaining technical assistance from the National Center on Substance Abuse and Child Welfare. The agency is in the process of reviewing policy and will assume ongoing leadership for interagency systems to address child maltreatment where parental substance abuse is a factor.

One option will be to affiliate with the National Drug Endangered Children Alliance, which is now well-developed and has state chapters and extensive web-based resources. The National Alliance is broad enough to cover not just meth exposure but also other substance abuse and child abuse issues.

*III.8. Propose legislation to add guardians ad litem for children to the statutory list of mandated reporters.*

Substantial progress. The Task Force approved a proposal from the Legislative Committee to add guardians ad litem, foster parents, juvenile justice workers, school attendance officers, and school administrators to the professionals statutorily required to report suspected child maltreatment. The proposed amendment also includes a statement encouraging all others to report. The proposal has been introduced as House Bill #3800.

*III.9. Support the recommendations of the Joint Study Committee on the Guardian Ad Litem Program.*

Deferred. Louise Cooper, Director of the South Carolina Guardian ad Litem Program, reviewed the status of these recommendations at the Task Force meeting on April 25, 2008. Most of the recommendations have either been at least partially accomplished or are no longer applicable.

*III.10. Support efforts of Court Administration to require certification for interpreters / court translators.*

Accomplished. Court Administration has implemented a certified interpreters program. Certification is a three-phase process and includes participation in a two-day orientation, successfully passing the written exam (80% or greater), and passing an oral certification exam (70% or greater on each of the components). South Carolina Court Administration also maintains a list of certified or otherwise qualified interpreters for use by the clerks of court when deaf or non-English speaking individuals are parties to legal proceedings, witnesses, or jurors. The names and contact information of the certified or otherwise qualified interpreters are compiled into a directory and provided to the courts.

*III.11. Clarify procedures for transmitting reports and investigating suspected child abuse or neglect when incidents cross jurisdictional lines, involve multiple agencies or jurisdictions, or when the location of the incident is unclear. The procedures should address emergency and after-hour situations in addition to weekday reports; methods to assure protection and services for the child, and Victims' Compensation payments for forensic interviews, examinations, and treatment. Publicize procedures through written materials and/or training.*

Substantial Progress. The Task Force recommended that steps be taken to clarify procedures for transmitting reports and investigating suspected child abuse or neglect when incidents cross jurisdictional lines, involve multiple agencies or jurisdictions, or when the location of the incident is unclear. The Children's Law Center, in collaboration with Task Force members, has developed a guide to cross-jurisdiction, interagency procedures. The guide is divided into sections on reporting, investigations, court procedures, and treatment services. It addresses emergency and after-hour situations in addition to weekday reports; methods to assure protection and services for the child; and Victims' Compensation payments for forensic interviews, examinations, and treatment. The guide is available to all professionals who report, investigate or provides services to children reported to have been abused or neglected.

*III.12. Clarify procedures for the use of interpreters when necessary in child abuse investigations and publicize this information in a resource booklet.*

Accomplished. The Task Force recommended that procedures be clarified for the use of interpreters when necessary in child abuse investigations. The Children's Law prepared a comprehensive guidebook for DSS attorneys on the use of interpreters. The

guidebook includes definitions of interpretation and translation, when interpreters should be used, rules of conduct, expert qualification, and methods for securing an interpreter. Forms, policies, and other resources are also included. Additionally, the Children's Law Center prepared a concise information packet on the use of interpreters in the investigation and prosecution of child abuse and neglect. This brief packet is designed for all professionals who work with children in investigations or preparing for court, and includes an overview of requirements and information about accessing an interpreter.

*III. 13. Examine issues surrounding the reporting of abuse and neglect by Spanish-speaking individuals and identify any potential barriers.*

Accomplished. DSS established dedicated intake worker positions in every county. These workers, who are certified CPS workers, received specialized training on the intake process. They are aware of procedures for accessing agency resources when a communication barrier exists.

*III. 14. Review implementation of the Program Improvement Plan and Court Improvement initiative and assess their impact on the achievement of permanency for children removed from their homes.*

Ongoing. The Task Force has received updates from DSS' CFSR Coordinator and has remained aware of the status of the previous Program Improvement Plan and the Court Improvement Training Initiative. The Task Force also received reports regarding preparations for the CFSR II and reviewed drafts of the state's self-assessment document. The onsite review is scheduled for July 2009. The Task Force will discuss the findings of the review, and assist or offer suggestions as needed on development of action plans for improvement. The Task Force will also monitor implementation of the new program improvement plan to identify further needs for training, resource development, reforms, or other tasks relevant to CJA.

**Financial Statement  
2006 – 2008**

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|  |                   |
|--|-------------------|
| <b>Salaries</b>                            | \$ 359,815        |
| <b>Fringe Benefits</b>                     | <u>84,352</u>     |
| <b>Subtotal Personnel</b>                  | 444,167           |
| <b>Travel</b>                              | 17,832            |
| <b>Telephone</b>                           | 714               |
| <b>Printing</b>                            | 19,486            |
| <b>Contractual Services</b>                | <u>51,095</u>     |
| <b>Subtotal Services</b>                   | 71,295            |
| <b>Data Processing Supplies</b>            | 3,275             |
| <b>Office Supplies</b>                     | 6,605             |
| <b>Educational Supplies</b>                | 2,995             |
| <b>Postage</b>                             | 2,434             |
| <b>Food Supplies</b>                       | <u>16,750</u>     |
| <b>Subtotal Supplies</b>                   | 32,059            |
| <b>Rents</b>                               | 468               |
| <b>Facilities &amp;<br/>Administration</b> | 168,053           |
| <b>TOTAL</b>                               | <u>\$ 733,874</u> |

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**Attachment A**  
**S.C. CJA Task Force**  
**Members 2006 – 2009**

**Susan Anderson**, *Child Protective Services Agency*  
Staff Attorney, SCDSS, Columbia, SC

**Tammy Besherse**, *At-large Member*  
Attorney, Appleseed Legal Justice Center

**Brenda Brisbin**, *Prosecuting Attorney*  
Assistant Solicitor, Office of the Solicitor, Second Judicial Circuit

**Debbie Clarke**, *Parent Group Representative*

**Louise Cooper**, *Volunteer Guardian ad Litem*  
Director, South Carolina Guardia ad Litem Program

**Charlotte Ehney**, *CAC Network Representative*  
Member and Past President, S.C. Network of Children's Advocacy Centers

**Cheryl Elrod**, *Parent Group Representative*  
Restitution/Appeals Coordinator, Division of Victim Assistance

**Mike Ethridge**, *Attorney for Children*  
Attorney, Carlock, Copeland & Stair, LLP

**Rosalyn Frierson**, *Court Administration Representative*  
Director, South Carolina Court Administration

**The Honorable Paul W. Garfinkel**, *Family Court Judge*  
Family Court Judge, Ninth Judicial Circuit

**Vicky Gaskins**, *Law Enforcement*  
Lieutenant, Juvenile Division, Aiken County Sheriff's Office, Aiken, SC

**Jocelyn Goodwin**, *Child Protective Services Agency*  
Assistant Director for CPS, SCDSS, Columbia, SC

**Ellen Hamilton**, *At-large Member*  
Director, Pee Dee Coalition

**Beebe James**, *At-large Member*  
Community Volunteer

**Jeffrey Moore**, *Law Enforcement*  
Executive Director, SC Sheriff=s Association

**Kimaka Nichols-Graham**, *Child Advocate*  
Staff Attorney II, South Carolina Legal Services

**M. Elizabeth Ralston**, *Mental Health Professional*  
Executive Director, Dee Norton Lowcountry Children=s Center

**Gary Reinhart**, *Criminal Court Judge*  
Chief Magistrate, Lexington County

**Deborah Reyes**, *Mental Health Professional*  
Psychologist, S.C. Department of Juvenile Justice

**Pamela D. Robinson**, *Volunteer Guardian ad Litem*  
Director, Pro Bono Program, USC Law School

**Olga C. Rosa**, *Health Professional*  
Director, S.C. Children=s Advocacy Medical Response System,  
USC School of Medicine

**Ione Sack**, Experienced in Working with Children with Disabilities  
Managed Treatment Services, Department of Social Services

**Caroline Streater**, *Criminal Court Judge*  
Magistrate, Richland County Government

**Karlayne Toole**, *Health Professional*  
RN, CPNP, Pediatrics Department, Medical University of South Carolina

**Tana G. Vanderbilt**, *Experienced in working with children with disabilities*  
General Counsel, S.C. Department of Disabilities and Special Needs

**Judith Whiting**, *Attorney for Parents (Defense Attorney)*  
Law Office of Judith Ann Whiting

**Beth Williams**, *CJA Coordinator (Ex officio)*  
Assistant Program Manager, Child Protective Services, Division of Human Services,  
SCDSS

**Valerie Williams**, *Law Enforcement*  
Senior Agent, SLED, Sumter, SC

## **Attachment B**

### **Bylaws of the South Carolina Children's Justice Act Task Force**

#### **Article I**

##### *Name*

**Section 1.** The name of this organization shall be the South Carolina Children's Justice Act Task Force, hereinafter referred to as the Task Force.

#### **Article II**

##### *Statutory Basis*

**Section 1.** The Task Force is established in accordance with the Child Abuse Prevention and Treatment Act (codified at 42 USC 5106c) which authorizes grants to states to develop, establish, and operate programs designed to improve: (A) the handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner which limits additional trauma to the child victim; (B) the handling of cases of suspected child abuse or neglect related fatalities; (C) the investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation; and (D) the handling of cases of children with disabilities and/or serious health problems who also are victims of abuse and neglect.

**Section 2.** Children's Justice Act grants shall be used to implement Task Force recommendations in the following three categories: (A) investigative, administrative, and judicial handling of cases of child abuse and neglect, particularly child sexual abuse and exploitation, as well as cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, such as interstate, federal-state, and state-tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused; (B) Experimental, model and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused; and (8) Reform of state laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, particularly sexual abuse and exploitation, while ensuring fairness to all affected persons.

### **Article III** *Purpose and Activities*

**Section 1.** At three-year intervals, the Task Force shall conduct an assessment of the state's systems responding to abused and neglected children. In this process, the Task Force may consider information obtained through a variety of sources, such as formal assessments, questionnaires, opinions of experts, and the professional experiences and judgment of Task Force members.

**Section 2.** Based on its three-year assessment, the Task Force shall adopt recommendations in each of the categories described in Article II, Section 2, and shall work towards their implementation.

**Section 3.** The Task Force shall recommend to the state's grantee (the South Carolina Department of Social Services) projects to be supported by Children's Justice Act grant funds.

**Section 4.** The Task Force may support legislation consistent with its mission or recommendations, or take positions on other state policy issues. In order to take an advocacy position on a legislation or policy issue, the matter must be presented to and approved by the Task Force as a whole. Individual committees cannot establish positions on behalf of the Task Force.

**Section 5.** Notwithstanding Section 4, the officers and committee chairpersons can function as an executive committee to establish a position on legislative issues when timely action is necessary, provided that all Task Force members have been notified of the possible action by electronic or other means and afforded an opportunity to comment.

### **Article IV** Membership

**Section 1.** General election of members shall be held every three years, in the last quarter of the final year in each three-year period. Membership shall commence on the first day of the first year in the next three year cycle.

**Section 2.** Current members may present proposed new members to the Nominating Committee for consideration. The Nominating Committee will prepare a slate to reflect the appropriate composition of the Task Force, obtain the consent of nominees, and provide biographical summaries. Members are elected by majority vote of Task Force members present and voting at a duly announced meeting. Nominations must be distributed to members at least ten (10) days in advance.

**Section 3.** Membership must be multi-disciplinary, in accordance with federal statutory requirements. General membership must comprise two slots for each of the following disciplines: law enforcement community, criminal court judge, family court judge,

prosecuting attorney, defense attorney, child advocate (attorney for children), Court Appointed Special Advocate/volunteer guardian ad litem (including a representative of the state guardian ad litem program), health professional, mental health professional, child protective service agency, individual experienced in working with children with disabilities, and parent group representative. Up to six at-large members may be added to maintain appropriate diversity on the Task Force. Designated agency members shall include an appointee of the Director of Court Administration and an appointee of the President of the S.C. Children's Advocacy Center Network. The designated CJA Coordinator of the S.C. Department of Social Services shall be a non-voting ex officio member of the Task Force.

**Section 4.** Members are elected for a period of three years, and may be reelected. Members must attend at least fifty percent of regularly scheduled meetings each calendar year to retain their membership. This requirement may be waived by the Chair for members who notify the Chair that they cannot attend due to extenuating circumstances but are otherwise participating.

**Section 5.** Membership on the Task Force lies with the individual, provided the individual remains in a capacity to represent the designated discipline.

**Section 6.** Total membership shall not exceed thirty-five (35):

#### **Article V**

##### *Resignations and Filling Unexpired Terms*

**Section 1.** Noncompliance with attendance requirements constitutes a vacancy.

**Section 2.** Vacancies which occur between general elections shall be filled if necessary to maintain representation on the Task Force by appointment of the Chair with approval by majority vote of members present and voting. Members appointed to fill a vacancy shall fill the remainder of the term, at which time they may be elected to a full term if eligible.

#### **Article VI**

##### *Officers*

**Section 1.** Officers of the Task Force shall consist of a Chair and Vice-Chair.

**Section 2.** Officers are elected for a three-year period upon majority vote of Task Force members present and voting, and may be re-elected for a second three-year term.

## **Article VII** *Committees*

**Section 1.** Standing committees shall be formed at three-year intervals to coincide with adoption of Task Force recommendations. The Chair and Vice Chair shall determine the number of committees needed and the focus of each.

**Section 2.** Each standing committee shall elect its own chairperson and all Task Force members are expected to serve on committees as needed.

**Section 3.** Standing committees will work to operationalize designated Task Force recommendations, undertaking the specific tasks necessary and making contacts with other organizations as needed to accomplish recommendations.

**Section 4.** Standing committees may make recommendations regarding legislative positions or other policy considerations for vote of the Task Force as a whole.

**Section 5.** Standing committees shall meet quarterly, or more frequently if necessary.

**Section 6.** Committee chairpersons and two at-large members appointed by the chair shall serve as a nominating committee to propose a slate of officers and new members for election.

## **Article VIII** *Meetings*

**Section 1.** The Task Force shall meet quarterly, with additional meetings called by the Chair if necessary.

**Section 2.** The Task Force may adopt a position, plan action, or amend a recommendation upon a majority vote of members present at a duly announced meeting, provided that a written agenda has been distributed to all members at least a week in advance. Although additional items may arise for discussion at a meeting, no final action shall be taken without written notice to all members.

**Section 3.** A majority of Task Force members present at a meeting shall constitute a quorum.

**Section 4.** Members must be present to vote on matters under consideration by the Task Force. Only duly elected Task Force members are permitted to vote.

**Section 5.** Task Force meetings shall be conducted in accordance with Robert's Rules of Order unless otherwise specified by these bylaws.

**Article IX**  
*Staff Support*

**Section 1.** A recipient of Children's Justice Act grant funds shall be designated to provide staff support necessary to the work of the Task Force.

**Article X**  
*Amendments*

**Section 1.** These bylaws may be amended upon majority vote of the membership at a duly announced meeting, provided that proposed amendments are distributed to members at least ten days in advance.

*Adopted October 30, 1998*  
*Amended September 13, 2002*  
*Amended December 2, 2005*  
*Amended January 19, 2007*