



## CHILD TRAFFICKING CHECKLIST: GAL PROGRAM CHILD'S BEST INTEREST ATTORNEYS

COMMERCIAL SEXUAL EXPLOITATION	LABOR
<p>CSEC is the use of any person under the age of 18 for sexual purposes in exchange for money, goods or services or the promise of money, goods or services. Trafficked children cannot be prosecuted for prostitution.</p> <p><b>** majority of cases are sexual exploitation</b></p>	<p>Human trafficking/labor trafficking is the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud or coercion, for the purpose of subjecting that person to involuntary servitude, peonage, debt bondage, or slavery. §787.06(3) <b>coercion not required</b> to be present involving children under 18 years of age.</p>

**A CHILD DOES NOT NECESSARILY COME INTO THE SYSTEM AS A VICTIM OF TRAFFICKING. REMEMBER – THE CHILD IS A POTENTIAL WITNESS IN THE TRAFFICKING CASE - ALWAYS CONSIDER CONFIDENTIALITY AND SAFETY IN EVERY DECISION**

### DEPENDENCY § 39.01(15)(G)

- Child sexually exploited, and
- No parent, legal guardian, or responsible adult, and
- Not capable of providing supervision and care

### RED FLAGS (DEPARTMENT **MUST** ASSESS FOR HUMAN TRAFFICKING)

Request HT screening tool if child has one or more of the following conditions (a)history of running away; (b)history of sexual abuse;(c) history of prostitution or a current arrest on a charge of prostitution; (d)acknowledges being trafficked; and, (e) if there is a report of sexual exploitation.

### APPOINTMENT OF REGISTRY ATTORNEY § 39.01305

- A victim of human trafficking must be appointed an attorney (registry attorney).
- Has court requested a pro-bono recommendation from the GAL Program? (15 days to reply)
- If no pro-bono attorney available, court must appoint an attorney from the special needs registry
- CBI Attorney continues to represent the child's best interests (Program still appointed)

### CONSIDER ALL BEST INTEREST ISSUES

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Permanency                      | <input type="checkbox"/> Visitation                                       | <input type="checkbox"/> Medicaid                             |
| <input type="checkbox"/> Placement                       | <input type="checkbox"/> Normalcy   | <input type="checkbox"/> Criminal Record – expunge § 943.0583 |
| <input type="checkbox"/> Education                       | <input type="checkbox"/> Case Plan  | <input type="checkbox"/> Sue trafficker – § 772.104           |
| <input type="checkbox"/> Mental, Medical & Dental Health | <input type="checkbox"/> Psychotropic Medications (medication management) |   |
| <input type="checkbox"/> Disabilities                    | <input type="checkbox"/> Substance Abuse                                  |   |

### IMMIGRATION RELIEF

- If victim is not a U.S. citizen proper notification (SIJ, T Visa, U Visa, Asylum, Self-Petition under VAWA, Continued Presence)? Interpreter required? Does the interpreter have special knowledge of trafficking issues?

### CONFIDENTIALITY

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Discuss importance of confidentiality with GAL Team (potential witness &amp; trafficker may want to re-victimize)</li> <li><input type="checkbox"/> Request closed court room § 39.507(2)</li> <li><input type="checkbox"/> Consider alternatives to in-court testimony</li> <li><input type="checkbox"/> Limit disclosure of information that may led the trafficker to the child – placements, school, daycare, visitation schedule / location</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Attorney does not have to notify relatives of court proceedings if detrimental to child's well-being § 39.502(19)</li> <li><input type="checkbox"/> Inform placement of issues surrounding confidentiality</li> </ul> |
|---|---|

### PLACEMENT

- Shelter may not be appropriate (history of running?) Teen parent?
- Has the department completed assessment to determine if **safe house** or **safe foster home**<sup>1</sup> is appropriate? § 409.1754
  - Assessment every 6 months

- Results of assessment **at every Judicial Review**
- Status of child's placement in writing – including **stability** and **permanency**
- If unable to complete assessment must be documented why and be rescheduled – on going basis
- Consider mental health & substance abuse needs – treatment facility may be most appropriate
- If not placed in safe house or safe foster home –**clear determination that the person in question is not a trafficker or allied with the trafficker. Is placement a danger to child (more than home study)?**
- Has the placement received specialized training? What are the child care and sleeping arrangement?

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### MEDICAL / MENTAL HEALTH

- Reproductive health assessment
- CSEC may be eligible for Children's Mental Health Wrap Around<sup>ii</sup> (**not** limited to out of –home care)- includes:
  - Treatment & intervention for sexual assault
  - Life skills training
  - Substance abuse treatment/evaluation
  - Victim-witness counseling
  - Education tailored to child's needs
  - Transition planning
  - Behavioral health care
  - Mentoring by a survivor of sexual exploitation
  - Activities supplied for a full schedule
  - Family counseling
- Medical/Dental/Mental Health evaluation and treatment with a provider who is knowledgeable about trafficking (providers should have training / supervision to address abuse). Consider reproductive health, nutritional and immunizations

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### NORMALCY

- Must support therapeutic process.** Prudent Parenting / Caregiver Plan for Sexually Exploited Child - caregiver should:
  - Participate in CSEC trainings to help in the decision-making process
  - Supervision plan? Transportation plan?
  - Work to identify appropriate normalcy activities –consider child's age, maturity and **trauma history**
  - **Provide feedback** to agency and professionals regarding progress in normalcy. **Identify modifications made.**

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### MULTI-DISCIPLINARY MEETING

Meeting within 2 weeks of department being made aware of trafficking. The following must attend: CPI, CBC, Children's Legal Services, Regional Criminal Justice Coordinator, Law Enforcement, Guardian ad Litem, DJJ, Service Providers, School Staff, Refugee Services (if appropriate).

- Discuss specific needs of the child / What youth services are available in your area
  - risks or dangers to the child
  - engagement of the child's family/support center
  - potential placements (CSEC trained placement? Safe house? Safe foster care?)
  - specific substance abuse and/or mental health treatment needs

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### EDUCATION

- Transportation needed to school away from trafficking
- Stability of educational placement
- Ensure records transferred / collected
- Safety
- Evaluations needed?

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### TEEN PARENT CONSIDERATIONS

- Assessments – immunizations, malnutrition
- Home visiting program
- Placement with child
- Part C Early Steps referral
- Teen parenting program
- Specialized services – parenting/attachment

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### OTHER

- Extending Foster Care (importance of compliance, ability to re-enter)
- Visitation (safety & confidentiality considerations) family, siblings, grandparents, mentor
- Consider no contact orders
- Review court order / Follow up with GAL Team
- Find mentor with trafficking background
- Ensure department personnel working with young adult has human trafficking training
- LGBTQ – **GAL Standard 2.H Advocate for the Child's Personal Identity Development**

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<sup>i</sup> CF OPERATING PROCEDURE NO. 170-14

<sup>ii</sup> DCF Memorandum, September 20, 2016