



STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

RICK SNYDER
GOVERNOR

BRIAN CALLEY
LT. GOVERNOR

**EXECUTIVE ORDER
No. 2013 - 4**

**GOVERNOR'S TASK FORCE ON CHILD ABUSE AND NEGLECT
DEPARTMENT OF HUMAN SERVICES**

**RESCISSION OF
EXECUTIVE ORDER 2010-18**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 107 of the federal Child Abuse Prevention and Treatment Act, as amended by the federal Keeping Children and Families Safe Act of 2003, Public Law 108-36, 42 USC 5106c, authorizes grants to states for the purpose of assisting states in developing, establishing, and operating programs designed to improve: (1) the handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner that limits additional trauma to the child victim; (2) the handling of cases of suspected child abuse - or neglect-related fatalities; (3) the investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation; and (4) the handling of cases involving children with disabilities or serious health-related problems who are victims of abuse or neglect; and

WHEREAS, to qualify for grants to states under Section 107 of the federal Child Abuse Prevention and Treatment Act, a state must establish or designate and maintain a multidisciplinary task force on children's justice; and

WHEREAS, Executive Order 1991-38 created the Governor's Task Force on Children's Justice within the Executive Office and was amended by Executive Order 1993-8; and

WHEREAS, Executive Order 2010-18 rescinded Executive Orders 1991-38 and 1993-8 and established the Governor's Task Force on Child Abuse and Neglect within the Department of Human Services ("Department"); and

WHEREAS, because this state remains committed to continual improvement in the handling of child abuse and neglect cases and to securing federal funding for such efforts, it is appropriate to refocus the activities of the Governor's Task Force on Child

Abuse and Neglect established by Executive Order 2010-18 through a newly focused Governor's Task Force on Child Abuse and Neglect; and

WHEREAS, decreasing the membership of the Governor's Task Force on Child Abuse and Neglect will ensure efficient administration and effectiveness of government;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

I. RESCISSION OF EXECUTIVE ORDER

Executive Order 2010-18 is rescinded.

II. CREATION OF THE TASK FORCE

A. The Governor's Task Force on Child Abuse and Neglect ("Task Force") is established within the Department of Human Services.

B. The Task Force is designated as the multidisciplinary task force for this state for purposes of Section 107(c) of the federal Child Abuse Prevention and Treatment Act, 42 USC 5106c(c).

C. The Task Force shall consist of 18 members appointed by the Governor and shall be composed of professionals with knowledge and experience relating to the criminal justice system and issues of child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment-related fatalities. Membership shall include the Director of the Department of Human Services, or his or her designee, and shall include all of the following:

1. Individuals representing the law enforcement community.
2. Judges and attorneys involved in both civil and criminal court proceedings related to child abuse and neglect, including individuals involved with the defense and the prosecution of child abuse and neglect cases.
3. Child advocates, including both attorneys for children or court appointed special advocates.
4. Health and mental health professionals.
5. Individuals representing child protective services agencies.
6. Parents, including, but not limited to, parents experienced in working with children with disabilities.

7. Individuals representing parents' groups.

D. Of the members of the Task Force appointed under Section II. C., one-third of the members shall be appointed for a term expiring on December 31, 2013; one-third of the members shall be appointed for a term expiring on December 31, 2014; and one-third of the members shall be appointed for a term expiring on December 31, 2015. After the initial appointments, members of the Task Force shall be appointed for terms of three years.

E. A vacancy on the Task Force occurring other than by expiration of a term shall be filled by the Governor in the same manner as the original appointment for the balance of the unexpired term. A member of the Task Force may be reappointed for subsequent additional terms.

F. The Governor shall designate a member of the Task Force to serve as Chairperson of the Task Force. The Chairperson of the Task Force shall appoint a member of the Task Force to serve as Vice-Chairperson at the pleasure of the Chairperson.

G. The Chairperson may establish and disband committees consisting of members of the Task Force as deemed necessary.

H. Members who attend less than 66% of the scheduled meetings in any calendar year shall be considered to have vacated their appointment. Upon notification, the Governor shall fill the vacancy in the same manner as the original appointment.

III. CHARGE TO THE TASK FORCE

A. At least once every 3 years, the Task Force shall comprehensively review and evaluate state investigative and administrative handling, civil judicial handling, and criminal judicial handling of all of the following:

1. Cases of child abuse and neglect, particularly child sexual abuse and exploitation.
2. Cases involving suspected child maltreatment-related fatalities.
3. Cases of child abuse and neglect involving a potential combination of jurisdictions, including, but not limited to, interstate, federal-state, and state-tribal.

B. At least once every 3 years, the Task Force shall comprehensively make policy and training recommendations to the Governor, the Michigan Supreme Court, and the Michigan Legislature in each of the following categories:

1. Investigative, administrative, and judicial handling of all of the following in a manner that reduces any additional trauma to a child victim and the victim's family and that also ensures procedural fairness to the accused:

a. Cases of child abuse and neglect, particularly child sexual abuse and exploitation.

b. Cases involving suspected child maltreatment-related fatalities.

c. Cases of child abuse and neglect involving a potential combination of jurisdictions, including, but not limited to, interstate, federal-state, and state-tribal.

2. Experimental, model, and demonstration programs for testing innovative approaches and techniques that 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 the performance of court-appointed attorneys and guardians ad litem for children, and that also ensure procedural fairness to the accused.

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

C. The Task Force shall function as a statewide coordinating council to oversee the implementation of recommendations of the Task Force under Section III.
B. Acting as the statewide coordinating council, the Task Force shall develop both of the following:

1. Model statewide protocols adaptable to local needs.

2. A statewide comprehensive initiative to disseminate and encourage the proper use of protocols and to educate the public about child abuse and neglect, particularly child sexual abuse and exploitation.

D. The Task Force shall make other recommendations relating to child abuse and neglect to the Governor, the Michigan Supreme Court, and the Michigan Legislature that the Task Force considers relevant and useful.

E. The Task Force shall coordinate with the Task Force on the Prevention of Sexual Abuse of Children created by 2012 P.A. 593.

F. The Task Force shall perform other functions related to the Task Force's duties as requested by the Governor.

IV. OPERATIONS OF THE TASK FORCE

A. The Task Force shall be staffed and assisted by personnel from the Department, subject to available funding. Any budgeting, procurement, or related management functions of the Task Force shall be performed under the direction and supervision of the Director of the Department and the Chairperson of the Task Force.

B. The Task Force shall adopt procedures consistent with applicable law and this Order governing its organization and operations.

C. A majority of the members serving shall constitute a quorum for the transaction of the Task Force's business. The Task Force shall act by a majority vote of its members in attendance.

D. The Task Force shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Task Force.

E. The Task Force may establish subcommittees of Task Force members and advisory workgroups composed of public officers, public employees, or members of the public who are not members of the Task Force. The Task Force may adopt, reject, or modify any recommendations proposed by a subcommittee or an advisory workgroup.

F. The Task Force may, as appropriate, make inquiries, conduct studies or investigations, hold hearings, and receive comments from the public. The Task Force also may consult with outside experts in order to perform its duties including, but not limited to, experts in the private sector, organized labor, government agencies, tribal governments, and at institutions of higher education.

G. Members of the Task Force shall serve without compensation. Members of the Task Force may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Michigan Civil Service Commission and the Department of Technology, Management, and Budget, subject to available funding.

H. The Task Force may hire or retain contractors, subcontractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties, in accordance with this Order, and the relevant statutes, rules, and procedures of the Michigan Civil Service Commission and the Department of Technology, Management, and Budget, subject to available funding.

I. The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person.

J. Members of the Task Force shall refer all legal, legislative, and media contacts to the Department.

V. MISCELLANEOUS

A. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

This Executive Order shall become effective upon filing.

Given under my hand and the Great Seal of the State of Michigan this 12th day of February, in the year of our Lord, two thousand and thirteen.


RICHARD D. SNYDER
GOVERNOR



BY THE GOVERNOR:


SECRETARY OF STATE

FILED WITH SECRETARY OF STATE

ON 2/12/13 AT 3:36 pm