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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/29/2018	.	
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The Committee on Children, Families, and Elder Affairs (Book) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 39.01304, Florida Statutes, is created
to read:

39.01304 Early Childhood Court programs.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds that the traditional dependency
court process focuses primarily on ensuring safety and



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11 permanency for young children, while paying less attention to
12 the mental health and developmental needs of those children
13 related to maltreatment and the disruption in the parent-child
14 relationship.

15 (b) The Legislature also finds that the emotional problems
16 that manifest themselves in infancy and early childhood are less
17 obvious than the behavioral and mental health problems of older
18 children in out-of-home care.

19 (c) The Legislature also finds it is important to identify
20 evidence-based practices and trauma-informed care approaches to
21 mitigate the impact of maltreatment on young children placed in
22 out-of-home care and to improve outcomes for them and their
23 families.

24 (d) The Legislature further finds that every young child
25 in out-of-home care should be afforded the advantages that can
26 be gained from the use of specialized dockets, multidisciplinary
27 teams, and a nonadversarial approach in connection with
28 dependency proceedings in a systems integration approach to heal
29 the child and, if possible, the parent-child relationship.

30 (e) It is the intent of the Legislature to encourage the
31 department, the Department of Health, the Early Learning
32 Coalitions, and other such agencies, local governments,
33 interested public or private entities, and individuals to
34 support the creation and establishment of early childhood court
35 programs.

36 (2) PROGRAM DEVELOPMENT.— An early childhood court is a
37 problem solving court with a specialized court docket created
38 under this section that uses evidence-based practices and
39 trauma-informed care approaches to address cases involving young



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40 children in out-of-home care. An early childhood court depends
41 on the leadership of a judge knowledgeable about the science of
42 early childhood development who requires rigorous efforts to
43 heal the child physically and emotionally, as well as broad
44 collaboration among professionals from different systems working
45 directly in the court as a team with a shared understanding that
46 the parent-child relationship is the foundation of child well-
47 being. A court may be recognized by the Office of the State
48 Courts Administrator as an early childhood court if it contains
49 the following components:

50 (a) *Judicial leadership.*— In an early childhood court,
51 therapeutic jurisprudence drives every aspect of judicial
52 practice on the bench. The judge engages in practices seldom
53 seen in traditional courtrooms in order to support the
54 therapeutic work of the parent and child in a nonadversarial
55 manner. As used in this section, the term “therapeutic
56 jurisprudence” means the study of how the law acts as a
57 therapeutic agent and focuses on the law’s impact on emotional
58 and psychological well-being.

59 (b) *Community coordination.*— Each early childhood court
60 must have a procedure for coordinating services and resources
61 for families with a case on the court docket. To meet this
62 requirement, the court either may hire a local community
63 coordinator with child development expertise who works with the
64 judge to facilitate collaboration among the members of the court
65 team or use a coordination system that integrates and
66 institutionalizes a progression of services.

67 (c) *Court team.*— The court team is made up of key
68 community stakeholders who commit to work with the judge to



69 restructure the way the community responds to the needs of
70 maltreated children. The team may include, but not be limited
71 to, early intervention specialists; mental health and infant
72 mental health professionals; attorneys representing children,
73 parents and the child welfare system; children's advocates;
74 early learning coalitions and child care providers; substance
75 abuse providers; primary health care providers; and guardians ad
76 litem. The court team shall also address the need for children
77 in an early childhood court program to receive medical care in a
78 medical home, a screening for developmental delays conducted by
79 the local agency responsible for complying with Part C of the
80 Individuals with Disabilities Education Act, and quality child
81 care.

82 (d) Continuum of mental health services.- Young children
83 who have experienced trauma may benefit from mental health
84 services that work with them and their parents. Parents who
85 maltreat their very young children need some level of
86 intervention to help them understand their children's needs and
87 learn ways to build strong supportive bonds. The continuum of
88 mental health services provided should include a focus on the
89 parent-child relationship and should be appropriate for each
90 child and family served.

91
92 While an early childhood court typically serves children from
93 the ages of 0-3 years of age, nothing in this section shall
94 prevent a court from expanding the docket to include children
95 over three years of age depending on available resources.

96 (3) PROGRAM IMPLEMENTATION.- Subject to appropriation and
97 the availability of additional resources:



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98 (a) The courts may create early childhood court programs
99 that use specialized dockets, multidisciplinary teams, and a
100 nonadversarial approach in connection with dependency
101 proceedings.

102 (b) By August 1, 2018, the Office of the State Courts
103 Administrator shall coordinate with the appropriate circuit
104 court to hire and train a full-time community coordinator at
105 each early childhood court program site that was in existence on
106 July 1, 2018 and may hire a statewide community coordinator to
107 implement the program. If an early childhood court uses an
108 alternative coordination system under (2) (b), the Office of the
109 State Courts Administrator may provide funding equivalent to a
110 community coordinator position to the court for case
111 coordination functions.

112 (c) The Office of the State Courts Administrator shall
113 contract with one or more university-based centers with an
114 expertise in infant mental health to hire a clinical director to
115 ensure quality, accountability, and fidelity to the early
116 childhood court model, including, but not limited to, training
117 and technical assistance related to clinical services, clinical
118 consultation and guidance for difficult cases, ongoing clinical
119 training for court teams.

120 (4) TRAINING.— Within appropriated funds, the Office of the
121 State Courts Administrator, in partnership with contracted
122 centers in subsection (3), shall provide training to the
123 participating court teams on meeting the program objectives.

124 (5) EVALUATION OF THE PROGRAM.— (a) In consultation with
125 the department, the Office of the State Courts Administrator,
126 and contracted centers in subsection (3), the Florida Institute



127 for Child Welfare shall evaluate the impact of the Early
128 Childhood Court program on children and families in Florida's
129 child welfare system.

130 (b) The evaluation must include the analysis of data
131 collected by the Office of the State Courts Administrator and
132 measurable outcomes, including, but not limited to, the impact
133 of the early childhood court program on the future incidence of
134 maltreatment of children, timely permanency, reunification of
135 families, and incidents of children reentering the child welfare
136 system. The evaluation must provide recommendations as to
137 whether and how the program should be expanded, the projected
138 costs of such expansion, and projected savings to the state
139 resulting from the program.

140 (c) The institute shall submit the results of the
141 evaluation to the Governor, the President of the Senate, and the
142 Speaker of the House of Representatives, by October 1, 2021.

143 (6) ANNUAL REPORTS.—By December 1, 2019 and 2020, the
144 Florida Institute for Child Welfare shall provide reports on the
145 status of the program to the Governor, the President of the
146 Senate, and the Speaker of the House of Representatives.

147 Section 2. This act shall take effect July 1, 2018.

148
149 ===== T I T L E A M E N D M E N T =====

150 And the title is amended as follows:

151 Delete everything before the enacting clause
152 and insert:

153 A bill to be entitled
154 An act relating to findings and intent; requiring
155 the program to incorporate specified components to be



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156 considered an early childhood court; authorizing the
157 courts to create early childhood court programs;
158 requiring the office to coordinate with the
159 appropriate circuit court to employ and train a
160 community coordinator for each program site;
161 authorizing the office to hire a statewide community
162 coordinator; authorizing the use of an alternative
163 coordination system; requiring the office to contract
164 with certain university based centers; requiring a
165 contracted center to hire a statewide clinical
166 consultant for specified purposes; requiring the
167 office, in partnership with the center and within
168 appropriated funds, to provide training to program
169 court teams; requiring the Florida Institute for Child
170 Welfare to conduct an evaluation of the program's
171 impact in consultation with the Department of Children
172 and Families, the office, and the center; requiring
173 the evaluation to include certain data and
174 recommendations; requiring the institute to submit the
175 results of its evaluation to the Governor and the
176 Legislature by a specified date; requiring the
177 institute to submit annual reports; providing an
178 effective date.