

By the Committee on Children, Families, and Elder Affairs; and
Senator Book

586-02592-18

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1 A bill to be entitled
2 An act relating to Early Childhood Court programs;
3 creating s. 39.01304, F.S.; providing legislative
4 findings and intent; requiring the program to
5 incorporate specified components to be considered an
6 early childhood court; authorizing the courts to
7 create early childhood court programs; requiring the
8 office to coordinate with the appropriate circuit
9 court to employ and train a community coordinator for
10 each program site; authorizing the office to hire a
11 statewide community coordinator; authorizing the use
12 of an alternative coordination system; requiring the
13 office to contract with certain university based
14 centers; requiring a contracted center to hire a
15 statewide clinical consultant for specified purposes;
16 requiring the office, in partnership with the center
17 and within appropriated funds, to provide training to
18 program court teams; requiring the Florida Institute
19 for Child Welfare to conduct an evaluation of the
20 program's impact in consultation with the Department
21 of Children and Families, the office, and the center;
22 requiring the evaluation to include certain data and
23 recommendations; requiring the institute to submit the
24 results of its evaluation to the Governor and the
25 Legislature by a specified date; requiring the
26 institute to submit annual reports; providing an
27 effective date.

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29 Be It Enacted by the Legislature of the State of Florida:

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

33 39.01304 Early Childhood Court programs.-

34 (1) LEGISLATIVE FINDINGS AND INTENT.-

35 (a) The Legislature finds that the traditional dependency
36 court process focuses primarily on ensuring safety and
37 permanency for young children, while paying less attention to
38 the mental health and developmental needs of those children
39 related to maltreatment and the disruption in the parent-child
40 relationship.

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

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

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

56 (e) It is the intent of the Legislature to encourage the
57 department, the Department of Health, the Early Learning
58 Coalitions, and other such agencies, local governments,

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59 interested public or private entities, and individuals to
60 support the creation and establishment of early childhood court
61 programs.

62 (2) PROGRAM DEVELOPMENT.—An early childhood court is a
63 problem solving court with a specialized court docket created
64 under this section that uses evidence-based practices and
65 trauma-informed care approaches to address cases involving young
66 children in out-of-home care. An early childhood court depends
67 on the leadership of a judge knowledgeable about the science of
68 early childhood development who requires rigorous efforts to
69 heal the child physically and emotionally, as well as broad
70 collaboration among professionals from different systems working
71 directly in the court as a team with a shared understanding that
72 the parent-child relationship is the foundation of child well-
73 being. A court may be recognized by the Office of the State
74 Courts Administrator as an early childhood court if it contains
75 the following components:

76 (a) *Judicial leadership.*—In an early childhood court,
77 therapeutic jurisprudence drives every aspect of judicial
78 practice on the bench. The judge engages in practices seldom
79 seen in traditional courtrooms in order to support the
80 therapeutic work of the parent and child in a nonadversarial
81 manner. As used in this section, the term “therapeutic
82 jurisprudence” means the study of how the law acts as a
83 therapeutic agent and focuses on the law’s impact on emotional
84 and psychological well-being.

85 (b) *Community coordination.*—Each early childhood court must
86 have a procedure for coordinating services and resources for
87 families with a case on the court docket. To meet this

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88 requirement, the court either may hire a local community
89 coordinator with child development expertise who works with the
90 judge to facilitate collaboration among the members of the court
91 team or use a coordination system that integrates and
92 institutionalizes a progression of services.

93 (c) Court team.—The court team is made up of key community
94 stakeholders who commit to work with the judge to restructure
95 the way the community responds to the needs of maltreated
96 children. The team may include, but not be limited to, early
97 intervention specialists; mental health and infant mental health
98 professionals; attorneys representing children, parents and the
99 child welfare system; children’s advocates; early learning
100 coalitions and child care providers; substance abuse providers;
101 primary health care providers; and guardians ad litem. The court
102 team shall also address the need for children in an early
103 childhood court program to receive medical care in a medical
104 home, a screening for developmental delays conducted by the
105 local agency responsible for complying with Part C of the
106 Individuals with Disabilities Education Act, and quality child
107 care.

108 (d) Continuum of mental health services.—Young children who
109 have experienced trauma may benefit from mental health services
110 that work with them and their parents. Parents who maltreat
111 their very young children need some level of intervention to
112 help them understand their children’s needs and learn ways to
113 build strong supportive bonds. The continuum of mental health
114 services provided should include a focus on the parent-child
115 relationship and should be appropriate for each child and family
116 served.

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

122 (3) PROGRAM IMPLEMENTATION.—Subject to appropriation and
123 the availability of additional resources:

124 (a) The courts may create early childhood court programs
125 that use specialized dockets, multidisciplinary teams, and a
126 nonadversarial approach in connection with dependency
127 proceedings.

128 (b) By August 1, 2018, the Office of the State Courts
129 Administrator shall coordinate with the appropriate circuit
130 court to hire and train a full-time community coordinator at
131 each early childhood court program site that was in existence on
132 July 1, 2018 and may hire a statewide community coordinator to
133 implement the program. If an early childhood court uses an
134 alternative coordination system under (2) (b), the Office of the
135 State Courts Administrator may provide funding equivalent to a
136 community coordinator position to the court for case
137 coordination functions.

138 (c) The Office of the State Courts Administrator shall
139 contract with one or more university-based centers with an
140 expertise in infant mental health to hire a clinical director to
141 ensure quality, accountability, and fidelity to the early
142 childhood court model, including, but not limited to, training
143 and technical assistance related to clinical services, clinical
144 consultation and guidance for difficult cases, ongoing clinical
145 training for court teams.

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

150 (5) EVALUATION OF THE PROGRAM.—

151 (a) In consultation with the department, the Office of the
152 State Courts Administrator, and contracted centers in subsection
153 (3), the Florida Institute for Child Welfare shall evaluate the
154 impact of the Early Childhood Court program on children and
155 families in Florida's child welfare system.

156 (b) The evaluation must include the analysis of data
157 collected by the Office of the State Courts Administrator and
158 measurable outcomes, including, but not limited to, the impact
159 of the early childhood court program on the future incidence of
160 maltreatment of children, timely permanency, reunification of
161 families, and incidents of children reentering the child welfare
162 system. The evaluation must provide recommendations as to
163 whether and how the program should be expanded, the projected
164 costs of such expansion, and projected savings to the state
165 resulting from the program.

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

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

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