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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/01/2018 01:33 PM

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Senator Book moved the following:

Senate Amendment (with title amendment)

Between lines 269 and 270

insert:

Section 3. 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
permanency for young children, while paying less attention to



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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 in
25 out-of-home care should be afforded the advantages that can be
26 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
40 children in out-of-home care. An early childhood court depends



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41 on the leadership of a judge or magistrate knowledgeable about
42 the science of early childhood development who requires rigorous
43 efforts to heal the child physically and emotionally, as well as
44 broad collaboration among professionals from different systems
45 working directly in the court as a team with a shared
46 understanding that the parent-child relationship is the
47 foundation of child well-being. A court may be recognized by the
48 Office of the State Courts Administrator as an early childhood
49 court if it contains 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 must
60 have a procedure for coordinating services and resources for
61 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 or magistrate to facilitate collaboration among the
65 members of the court team or use a coordination system that
66 integrates and institutionalizes a progression of services.

67 (c) *Court team.*—The court team is made up of key community
68 stakeholders who commit to work with the judge or magistrate to
69 restructure the way the community responds to the needs of



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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 treatment providers; primary health care providers; and
76 guardians ad litem. The court team shall also address the need
77 for children in an early childhood court program to receive
78 medical care in a medical home, a screening for developmental
79 delays conducted by the local agency responsible for complying
80 with part C of the Individuals with Disabilities Education Act,
81 and quality child care.

82 (d) Continuum of mental health services.—Young children who
83 have experienced trauma may benefit from mental health services
84 that work with them and their parents. Parents who maltreat
85 their very young children need some level of intervention to
86 help them understand their children's needs and learn ways to
87 build strong supportive bonds. The continuum of mental health
88 services provided should include a focus on the parent-child
89 relationship and should be appropriate for each child and family
90 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 3 years of age depending on available resources.

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

98 (a) The courts may create early childhood court programs



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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 paragraph (2) (b), the
109 Office of the State Courts Administrator may provide funding
110 equivalent to a community coordinator position to the court for
111 case 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, and ongoing
119 clinical 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.—

125 (a) In consultation with the department, the Office of the
126 State Courts Administrator, and contracted centers in subsection
127 (3), the Florida Institute for Child Welfare shall evaluate the



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128 impact of the early childhood court program, if implemented, on
129 children and families in Florida's 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, if implemented, to the Governor, the
146 President of the Senate, and the Speaker of the House of
147 Representatives.

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 Between lines 8 and 9

152 insert:

153 creating s. 39.01304, F.S.; providing legislative
154 findings and intent; requiring a court to incorporate
155 specified components to be considered an early
156 childhood court; subject to an appropriation and



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