

By Senator Book

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1 A bill to be entitled
2 An act relating to early childhood courts; creating s.
3 39.01304, F.S.; providing legislative intent;
4 authorizing circuit courts to create early childhood
5 court programs; requiring that early childhood court
6 programs have certain components present; providing
7 requirements and guidelines for the Office of the
8 State Courts Administrator when hiring community
9 coordinators and a statewide training specialist;
10 authorizing the office to provide funding to circuit
11 courts that choose to establish a coordination system
12 in lieu of creating a community coordinator position;
13 requiring the office to contract with certain
14 university-based centers; requiring the university-
15 based centers to hire a clinical director; requiring
16 the Florida Institute for Child Welfare to submit
17 certain status reports to the Governor and the
18 Legislature by specified dates; requiring the
19 institute, in consultation with the Department of
20 Children and Families, the office, and the contracted
21 university-based centers, to conduct an evaluation of
22 the court programs' impact; requiring the evaluation
23 to include the analysis of certain data and
24 recommendations; requiring the institute to submit the
25 results of its evaluation to the Governor and the
26 Legislature by a specified date; providing an
27 effective date.

28
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) It is the intent of the Legislature to encourage the
35 department, the Department of Health, the Association of Early
36 Learning Coalitions, and other such agencies, local governments,
37 interested public or private entities, and individuals to
38 support the creation and establishment of early childhood court
39 programs. The purpose of an early childhood court program is to
40 address the root cause of court involvement through specialized
41 dockets, multidisciplinary teams, evidence-based treatment, and
42 the use of a nonadversarial approach. Such programs depend on
43 the leadership of a judge or magistrate who is educated about
44 the science of early childhood development and who requires
45 rigorous efforts to heal children physically and emotionally in
46 the context of a broad collaboration among professionals from
47 different systems working directly in the court as a team,
48 recognizing that the parent-child relationship is the foundation
49 of child well-being.

50 (2) A circuit court may create an early childhood court
51 program to serve the needs of infants and toddlers in dependency
52 court. An early childhood court program must have all of the
53 following components present:

54 (a) Therapeutic jurisprudence, which must drive every
55 aspect of judicial practice. The judge or magistrate must
56 support the therapeutic needs of the parent and child in a
57 nonadversarial manner. As used in this paragraph, the term
58 "therapeutic jurisprudence" means the study of how the law may

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59 be used as a therapeutic agent and focuses on how laws impact
60 emotional and psychological well-being.

61 (b) A procedure for coordinating services and resources for
62 families who have a case on the court docket. To meet this
63 requirement, the court may create and fill at least one
64 community coordinator position pursuant to paragraph (3)(a) or
65 the court may use a coordination system that implements a
66 progression of services.

67 (c) A multidisciplinary team 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
70 maltreated children. The team may include, but is not 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 program providers; primary health care providers; and
76 guardians ad litem. The multidisciplinary team must address the
77 need 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 federal Individuals with Disabilities
81 Education Act, and quality child care.

82 (d) A continuum of mental health services that include a
83 focus on the parent-child relationship and that must be
84 appropriate for each child and family served.

85 (3) Contingent upon an annual appropriation by the
86 Legislature, and subject to available resources:

87 (a) The Office of the State Courts Administrator shall

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88 coordinate with each participating circuit court to create and
89 fill at least one community coordinator position for the
90 circuit's early childhood court program unless the court chooses
91 to establish a coordination system in lieu of creating a
92 community coordinator position. Each community coordinator shall
93 provide direct support to the program by providing coordination
94 between the multidisciplinary team and the judiciary,
95 coordinating the responsibilities of the participating agencies
96 and service providers, and managing the collection of data for
97 program evaluation and accountability. If a circuit court
98 establishes a coordination system in lieu of creating a
99 community coordinator position, the Office of the State Courts
100 Administrator may provide funding equivalent in value to a
101 community coordinator position to the court for case
102 coordination functions.

103 (b) The Office of the State Courts Administrator shall
104 contract with one or more university-based centers that have
105 expertise in infant mental health, and such university-based
106 centers shall hire a clinical director charged with ensuring the
107 quality, accountability, and fidelity of the program's evidence-
108 based treatment and ensuring that each center under contract
109 receives training and technical assistance related to clinical
110 services, clinical consultation and guidance for difficult
111 cases, and ongoing clinical training for court teams. In
112 partnership with each center, the Office of the State Courts
113 Administrator may hire a statewide training specialist to
114 provide training to each multidisciplinary team.

115 (c) By December 1 of 2020 and 2021, the Florida Institute
116 for Child Welfare shall provide a status report on

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117 implementation of the programs to the Governor, the President of
118 the Senate, and the Speaker of the House of Representatives.

119 (d) In consultation with the department, the Office of the
120 State Courts Administrator, and each center, the Florida
121 Institute for Child Welfare shall evaluate the impact of the
122 early childhood court programs on children and families in the
123 state's child welfare system. The evaluation must include the
124 analysis of data collected by the Office of the State Courts
125 Administrator and measurable outcomes, including, but not
126 limited to, the impact of the early childhood court program on
127 the future incidence of maltreatment of children, timely
128 permanency, reunification of families, and incidents of children
129 reentering the child welfare system. The evaluation must provide
130 recommendations as to whether and how the programs should be
131 expanded, the projected costs of any such expansion, and the
132 projected savings to the state resulting from the programs.
133 After providing the status reports pursuant to paragraph (c),
134 and by October 1, 2022, the institute shall provide a report on
135 the results of the evaluation to the Governor, the President of
136 the Senate, and the Speaker of the House of Representatives.

137 Section 2. This act shall take effect July 1, 2019.