

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 providing a purpose; authorizing circuit courts to
5 create early childhood court programs; requiring that
6 early childhood court programs have certain
7 components; defining the term "therapeutic
8 jurisprudence"; providing requirements and guidelines
9 for the Office of the State Courts Administrator when
10 hiring community coordinators and a statewide training
11 specialist; authorizing the Trial Court Budget
12 Commission to provide funding to circuit courts that
13 choose to establish a coordination system in lieu of
14 creating a community coordinator position; requiring
15 the Department of Children and Families to contract
16 with certain university-based centers; requiring the
17 university-based centers to hire a clinical director;
18 requiring the Florida Institute for Child Welfare to
19 submit certain status reports to the Governor and the
20 Legislature by specified dates; requiring the
21 institute, in consultation with the department, the
22 office, and the contracted university-based centers,
23 to conduct an evaluation of the court programs'
24 impact; requiring the evaluation to include the
25 analysis of certain data and recommendations;
26 requiring the institute to submit the results of its
27 evaluation to the Governor and the Legislature by a
28 specified date; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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

34 39.01304 Early childhood court programs.—

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

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

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

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59 "therapeutic jurisprudence" means the study of how the law may
60 be used as a therapeutic agent and focuses on how laws impact
61 emotional and psychological well-being.

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

68 (c) A multidisciplinary team made up of key community
69 stakeholders who commit to work with the judge or magistrate to
70 restructure the way the community responds to the needs of
71 maltreated children. The team may include, but is not limited
72 to, early intervention specialists; mental health and infant
73 mental health professionals; attorneys representing children,
74 parents, and the child welfare system; children's advocates;
75 early learning coalitions and child care providers; substance
76 abuse program providers; primary health care providers; domestic
77 violence advocates; and guardians ad litem. The
78 multidisciplinary team must address the need for children in an
79 early childhood court program to receive medical care in a
80 medical home, a screening for developmental delays conducted by
81 the local agency responsible for complying with part C of the
82 federal Individuals with Disabilities Education Act, and quality
83 child care.

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

87 (3) Contingent upon an annual appropriation by the

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88 Legislature, and subject to available resources:

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

107 (b) The department shall contract with one or more
108 university-based centers that have expertise in infant mental
109 health, and such university-based centers shall hire a clinical
110 director charged with ensuring the quality, accountability, and
111 fidelity of the program's evidence-based treatment, including,
112 but not limited to, training and technical assistance related to
113 clinical services, clinical consultation and guidance for
114 difficult cases, and ongoing clinical training for court teams.

115 (c) By December 1 of 2021 and 2022, the Florida Institute
116 for Child Welfare shall provide a status report on the level of

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117 implementation and site characteristics of each early childhood
118 court to the Governor, the President of the Senate, and the
119 Speaker of the House of Representatives.

120 (d) In consultation with the department, the Office of the
121 State Courts Administrator, and each center, the Florida
122 Institute for Child Welfare shall evaluate the impact of the
123 early childhood court programs on children and families in the
124 state's child welfare system. The evaluation must include the
125 analysis of data collected by the Office of the State Courts
126 Administrator and measurable outcomes, including, but not
127 limited to, the impact of the early childhood court program on
128 the future incidence of maltreatment of children, timely
129 permanency, reunification of families, and incidents of children
130 reentering the child welfare system. The evaluation must provide
131 recommendations as to whether and how the programs should be
132 expanded, the projected costs of any such expansion, and the
133 projected savings to the state resulting from the programs.
134 After providing the status reports pursuant to paragraph (c),
135 and by October 1, 2023, the institute shall provide a report on
136 the results of the evaluation to the Governor, the President of
137 the Senate, and the Speaker of the House of Representatives.

138 Section 2. This act shall take effect January 1, 2020.