

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

586-00882-20

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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 providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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

24 39.01304 Early childhood court programs.—

25 (1) It is the intent of the Legislature to encourage the
26 department, the Department of Health, the Association of Early
27 Learning Coalitions, and other such agencies, local governments,
28 interested public or private entities, and individuals to
29 support the creation and establishment of early childhood court

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30 programs. The purpose of an early childhood court program is to
31 address the root cause of court involvement through specialized
32 dockets, multidisciplinary teams, evidence-based treatment, and
33 the use of a nonadversarial approach. Such programs depend on
34 the leadership of a judge or magistrate who is educated about
35 the science of early childhood development and who requires
36 rigorous efforts to heal children physically and emotionally in
37 the context of a broad collaboration among professionals from
38 different systems working directly in the court as a team,
39 recognizing that the parent-child relationship is the foundation
40 of child well-being.

41 (2) A circuit court may create an early childhood court
42 program to serve the needs of infants and toddlers in dependency
43 court. An early childhood court program must have all of the
44 following components:

45 (a) Therapeutic jurisprudence, which must drive every
46 aspect of judicial practice. The judge or magistrate must
47 support the therapeutic needs of the parent and child in a
48 nonadversarial manner. As used in this paragraph, the term
49 "therapeutic jurisprudence" means the study of how the law may
50 be used as a therapeutic agent and focuses on how laws impact
51 emotional and psychological well-being.

52 (b) A procedure for coordinating services and resources for
53 families who have a case on the court docket. To meet this
54 requirement, the court may create and fill at least one
55 community coordinator position pursuant to paragraph (3) (a) or
56 the court may use a coordination system that implements a
57 progression of services.

58 (c) A multidisciplinary team made up of key community

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59 stakeholders who commit to work with the judge or magistrate to
60 restructure the way the community responds to the needs of
61 maltreated children. The team may include, but is not limited
62 to, early intervention specialists; mental health and infant
63 mental health professionals; attorneys representing children,
64 parents, and the child welfare system; children's advocates;
65 early learning coalitions and child care providers; substance
66 abuse program providers; primary health care providers; domestic
67 violence advocates; and guardians ad litem. The
68 multidisciplinary team must address the need for children in an
69 early childhood court program to receive medical care in a
70 medical home, a screening for developmental delays conducted by
71 the local agency responsible for complying with part C of the
72 federal Individuals with Disabilities Education Act, and quality
73 child care.

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

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

79 (a) The Office of the State Courts Administrator shall
80 coordinate with each participating circuit court to create and
81 fill at least one community coordinator position for the
82 circuit's early childhood court program unless the court chooses
83 to establish a coordination system in lieu of creating a
84 community coordinator position. Each community coordinator shall
85 provide direct support to the program by providing coordination
86 between the multidisciplinary team and the judiciary,
87 coordinating the responsibilities of the participating agencies

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88 and service providers, and managing the collection of data for
89 program evaluation and accountability. If a circuit court
90 establishes a coordination system in lieu of creating a
91 community coordinator position, the Trial Court Budget
92 Commission may provide funding equivalent in value to a
93 community coordinator position to the court for case
94 coordination functions. The Office of State Courts Administrator
95 may hire a statewide training specialist to provide training to
96 the participating court teams.

97 (b) The department shall contract with one or more
98 university-based centers that have expertise in infant mental
99 health, and such university-based centers shall hire a clinical
100 director charged with ensuring the quality, accountability, and
101 fidelity of the program's evidence-based treatment, including,
102 but not limited to, training and technical assistance related to
103 clinical services, clinical consultation and guidance for
104 difficult cases, and ongoing clinical training for court teams.

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