



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; making
27 implementation of the program subject to an
28 appropriation; providing an effective date.
29

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) LEGISLATIVE FINDINGS AND INTENT.-

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

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

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



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

57 (e) It is the intent of the Legislature to encourage the
58 department, the Department of Health, the Early Learning
59 Coalitions, and other such agencies, local governments,
60 interested public or private entities, and individuals to
61 support the creation and establishment of early childhood court
62 programs.

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



76 | court if it contains the following components:

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

86 | (b) *Community coordination.*—Each early childhood court
87 | must have a procedure for coordinating services and resources
88 | for families with a case on the court docket. To meet this
89 | requirement, the court either may hire a local community
90 | coordinator with child development expertise who works with the
91 | judge or magistrate to facilitate collaboration among the
92 | members of the court team or use a coordination system that
93 | integrates and institutionalizes a progression of services.

94 | (c) *Court team.*—The court team is made up of key community
95 | stakeholders who commit to work with the judge or magistrate to
96 | restructure the way the community responds to the needs of
97 | maltreated children. The team may include, but not be limited
98 | to, early intervention specialists; mental health and infant
99 | mental health professionals; attorneys representing children,
100 | parents and the child welfare system; children's advocates;



101 early learning coalitions and child care providers; substance
102 abuse providers; primary health care providers; and guardians ad
103 litem. The court team shall also address the need for children
104 in an early childhood court program to receive medical care in a
105 medical home, a screening for developmental delays conducted by
106 the local agency responsible for complying with Part C of the
107 Individuals with Disabilities Education Act, and quality child
108 care.

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

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

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

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



126 that use specialized dockets, multidisciplinary teams, and a
127 nonadversarial approach in connection with dependency
128 proceedings.

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

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

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



151 (5) EVALUATION OF THE PROGRAM.—

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

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

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

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

174 (7) IMPLEMENTATION.—Implementation of the program is
175 subject to an appropriation provided by the Legislature in the



CS/CS/HB 1351, Engrossed 1

2018

176 | General Appropriations Act for that purpose.

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