

**IN THE SECOND JUDICIAL CIRCUIT
OF FLORIDA
OFFICE OF CHIEF JUDGE
ADMINISTRATIVE ORDER 2023-01**

**IN RE: ESTABLISHMENT OF EARLY CHILDHOOD COURT PROGRAM
PROCEDURES**

WHEREAS, the Second Judicial Circuit of Florida began staffing dependency cases into an early childhood court program in August 2015 to serve the needs of infants and toddlers by promoting timely permanency and the end of the intergenerational cycle of maltreatment; and

WHEREAS, the Florida Supreme Court adopted the Early Childhood Court Best Practice Standards in November 2019 to include trauma-informed judicial leadership, a community coordinator, monthly court reviews, evidence-based child parent psychotherapy, frequent meaningful contact between parents and children, and use of multidisciplinary family team meetings; and

WHEREAS, Florida Statutes, Chapter 39, section 39.01304 provides that a circuit court may create an early childhood court program to serve the needs of infants and toddlers in dependency court and provides factors that may be considered, which are included herein; and

WHEREAS, Florida Statutes, Chapter 39, section 39.4022 provides legislative intent which finds that services for children and families are most effective when delivered in the context of a single integrated multidisciplinary team staffing that includes the child, his or her family, natural and community supports, and professionals who join together to empower, motivate, and strengthen a family and collaboratively develop a plan of care and protection to achieve child safety, child permanency, and child and family well-being; and

WHEREAS, Florida Statutes, Chapter 39, section 39.4022 further provides the legislative intent that effective assessment through an integrated multidisciplinary team is particularly important for children who are vulnerable due to existing histories of trauma which led to the child's entrance into the child welfare system. This assessment is especially important for young children who are 3 years of age or younger, because of the enhanced need for such children to have healthy and stable attachments to assist with necessary brain development. Stable and nurturing relationships in the first years of life, as well as the quality of such relationships, are integral to healthy brain development, providing a foundation for lifelong mental health and determining well-being as an adult; and

WHEREAS, this specialized program will enable consideration of the unique nature of the issues related to infants and toddlers in the dependency system, the need for appropriate treatment in an environment conducive to wellness, as well as the continuing necessity to ensure the protection of children;

NOW THEREFORE, pursuant to Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and conferred by the Florida Rules of General Practice and Judicial Administration 2.215(b)(2)(b)(3), the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

IT IS HEREBY ORDERED as follows, effective immediately:

- I. **Purpose and Scope:** The purpose of Early Childhood Court is to increase the likelihood of reunification of families and permanency for children through targeted treatment and interventions and close judicial supervision.
 - a. Partners of the Early Childhood Court will include the Office of Court Administration for the Second Judicial Circuit, the Department of Children and Families and its contracted agents, the Guardian ad Litem Program, the Office of Regional Conflict Counsel, Conflict Attorneys, and other organizations and entities providing services to families in dependency cases.
 - b. The Early Childhood Court Team will consist of multidisciplinary participants including the presiding Dependency Court Judge(s) and Magistrate(s), Early Childhood Court Program Coordinator, Children, Parents, Resource Caregivers, Dependency Case Managers, Child Parent Psychotherapists, Infant and Toddler Mental Health Specialists, Children's Legal Services, Attorneys for Parents, Attorneys ad Litem for Children, the Guardian ad Litem Program representatives, and other providers serving the individualized needs of the families.
 - c. The Early Childhood Court Team will serve the needs of infants, toddlers, and their families in dependency court. Partners will remain transparent, trauma-informed, and collaborative with the multidisciplinary team. The team will recognize the central role of infant mental health and develop and implement a continuum of services to parents and their children to treat, prevent, and counteract the detrimental effects of maltreatment.
 - d. The Early Childhood Court best practices include monthly court reviews and multidisciplinary family team meetings, evidence-based child parent psychotherapy and frequent meaningful contact for parents and their children. Failure to comply with best practices cannot be the sole grounds for termination of parental rights.
- II. **Eligibility and Exclusion Criteria:** The Early Childhood Court Team will have discretion regarding the acceptance of cases. At a minimum, cases with the following qualities shall be identified as potential Early Childhood Court cases:
 - a. The case involves a family with a child or children who are age three years old or younger and are adjudicated dependent with the primary goal of reunification; and

- b. The parent(s) consent to the petition for adjudication of dependency; and
- c. The parent(s) have the capacity and liberty to participate in the intensive interventions, which include monthly hearings, frequent visitation, and weekly treatment; and
- d. If any assessment includes a written recommendation for Child Parent Psychotherapy or it is included as a case plan task, the case will be considered by the Early Childhood Court team for Early Childhood Court.
- e. Families may be excluded from participation in Early Childhood Court for reasons including, but not limited to:
 - i. The shelter petition cites Florida Statutes 39.806(1)(b)(d)(f)(n), which are grounds for expedited termination of parental rights. However, if a dependency petition is later filed, the family can be reconsidered for Early Childhood Court.
 - ii. The parent is incarcerated for an extended period.
 - iii. The parent has severe uncontrolled mental illness or a severe intellectual disability that would prevent their participation in therapy.

III. **Referral Process:** Cases are identified for referral to Early Childhood Court by review of the shelter and/or dependency petition by the judge or magistrate, the Program Coordinator, an attorney of record for a parent, case management, the Guardian ad Litem Program, attorney ad litem, or a parent. The referring party shall make referral directly to the Program Coordinator.

- a. At the shelter hearing, the parties will be provided the Notice of Eligibility Statement by the Court that will read as follows:

Early Childhood Court is a program for families with children ages 0-36 months placed in out-of-home care. Because your child(ren) are between those ages, your family may be eligible to participate in this program. The Early Childhood Court team focuses on your child(ren)'s need for timely permanency to be met in a safe, loving, and nurturing home environment. The Early Childhood Court team utilizes a trauma responsive approach when working with parents and prioritizes parents' needs for timely referrals to services and advocates for frequent, high-quality visitation. Early Childhood Court requires families to meet with the team monthly and court hearings are also held monthly. The Program Coordinator will email you an informational brochure about the program.

- b. All cases with child(ren), ages 0-36 months will have an initial screening assessment to determine if the case should be recommended for Early Childhood Court. This assessment must be completed and filed with the Court within 30 days of the shelter hearing.

- c. Upon identifying an eligible case, the Program Coordinator will contact the attorney for the parent and discuss the possible interest of the parent(s) and their participation in Early Childhood Court.
- d. The Program Coordinator will not make efforts to communicate with the parent beyond providing the informational brochure. However, if the parent contacts the Program Coordinator, the Coordinator may discuss the Program with the parent.

IV. **Participation Process:** The following procedures shall occur after the child or child(ren) are adjudicated dependent and the parents have agreed to voluntarily participate in Early Childhood Court:

- a. The identified parent(s) will review and sign the “Early Childhood Court Waiver of Confidentiality and Consent to Exchange Information” Form.
- b. The Clerk and/or court staff shall set the case on the monthly Early Childhood Court docket.
- c. The identified parent(s) and child(ren) will meet with the Child Parent Psychotherapist and participate in in-depth clinical assessments and interventions as recommended.
- d. In addition to attending court hearings, parent(s) will attend a family team meeting every month or as needed to discuss progress and potential barriers to reunification.
- e. The Early Childhood Court program will provide participating families with additional services through its community partnerships.
- f. Failure to comply with the Early Childhood Court best practices cannot be the sole grounds for termination of parental rights.

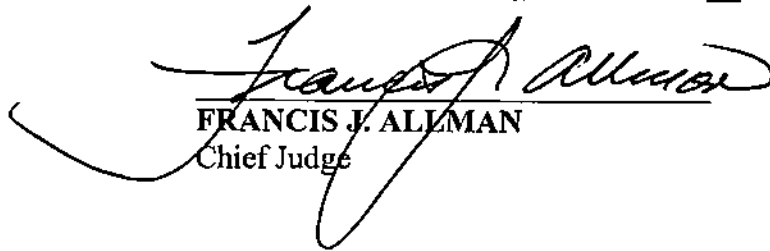
V. **Discharging Cases from the Early Childhood Court:** The Court does not discharge parents from Early Childhood Court if parents are unable to successfully reunify with their child(ren). If parental rights are terminated, the case will remain in Early Childhood Court with the goal of achieving permanency for the child through adoption or permanent guardianship.

VI. **Program Monitoring and Evaluation:** The Office of Court Administration for the Second Judicial Circuit, in collaboration with Early Childhood Court partners, including the Program Coordinator, will collect and maintain statistical data for the program and seek to identify and implement continuing quality improvements.

VII. **Changes to Policies and Procedures:** Policies and operating procedures for the Early Childhood Court program will be put in place by the presiding dependency

court judge in conjunction with the Office of Court Administration for the Second Judicial Circuit and approved by the Chief Judge. Parties, participants, and team members of Early Childhood Court are expected to follow these policies and procedures that conform with the Early Childhood Court Best Practice Standards of November 2019, as adopted by the Florida Supreme Court.

DONE and ORDERED in chambers in Tallahassee, Leon County, Florida, this 27 day of July, 2023.


FRANCIS J. ALLMAN
Chief Judge

Copies furnished to:

- All Circuit and County Judges, Second Judicial Circuit
- All Clerks of the Court, Second Judicial Circuit
- Office of Court Administration, Second Judicial Circuit
- Office of the Guardian ad Litem, Second Judicial Circuit
- Office of Regional Conflict Counsel
- All Attorneys on the Conflict Attorney Registry, Second Judicial Circuit

