

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA

**ADMINISTRATIVE ORDER NO:
22-07-B**

**IN RE: JUVENILE - DEPENDENCY - ESTABLISHMENT OF EARLY CHILDHOOD COURT
PROGRAM**

WHEREAS, national research shows that a child's first 1,000 days of life are a critical period during which a child faces the greatest risk of having to endure life-long adversity or the greatest opportunity for long-term well-being with a stable, nurturing caregiver. To that end, Florida Statute, Chapter 39 authorizes the establishment of an Early Childhood Court to serve the needs of infants and toddlers in dependency court. The goal of Florida's Early Childhood Court is to improve child safety and well-being, heal trauma and repair the parent/child relationship, promote timely permanency, prevent recurrence of maltreatment, and stop the intergenerational cycle of maltreatment including abuse, neglect, and violence. Positive results have been associated with the Safe Babies Court Team approach, which has demonstrated timely permanency, increased child well-being, and reduced recurrence of child abuse through use of specialized dockets, multidisciplinary teams, community coordinators, and early childhood mental health specialists who provide child parent psychotherapy to address the multigenerational trauma.

WHEREAS, the Florida Supreme Court adopted the Early Childhood Court Best Practice Standards in November 2019 which sets forth core components to include 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, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, 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; 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, 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; and

WHEREAS, this specialized division will enable consideration of the unique nature of the issues related to young children 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 the chief judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the chief judge, pursuant to the authority conferred by the Florida Rules of General Practice and Judicial Administration 2.215(b)(2),(b)(3); it is **ORDERED** as follows, effective immediately, and to continue until further order:

1. **Purpose and Scope:** The Eighteenth Judicial Circuit hereby establishes an Early Childhood Court for Brevard County to serve the needs of infants and toddlers in dependency court.
 - a. The Early Childhood Court is built upon a partnership among the Administrative Office of the Court, the Department of Children and Families, Brevard Family Partnership and its family of agencies, the Guardian ad Litem Program, Brevard County Legal Aid Society, the Office of Regional Conflict Counsel, Conflict Attorneys, and other community partners.
 - b. The Early Childhood Court Team consists of multidisciplinary participants including the presiding Dependency Court Judge, Community Coordinator, Children, Parents, Resource Caregivers, Dependency Case Managers, Child Parent Psychotherapists, Infant and Toddler Mental Health Specialists, other clinicians and community partners serving the family, 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 core components include judicial leadership; transparency; viewing families through a trauma lens; recognizing the central role of infant mental health specialists and child parent psychotherapists; implementing a continuum of behavioral health services; and ensuring the collaborative court team services include a community coordinator, cross agency training; developmental support for the child/parents, parent education and support, placement stability and concurrent planning. Monthly family team meetings, consistent parent-child contact, focused co-parenting, regular evaluation, funding and stability are vital to the structure of Early Childhood Court.
2. **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;
 - b. The parent(s) consent to the petition for adjudication of dependency;
 - c. The parent(s) agree to participate in Early Childhood Court;

- d. The parent(s) have the capacity and liberty to participate in the intensive interventions, which include monthly hearings, frequent visitation, and weekly treatment; and
- e. The case jurisdiction is Brevard County and the parent(s) and child/ren reside in Brevard County.
- f. Families may be excluded from participation in Early Childhood Court for reasons including, but not limited to:
 - i. Criminal history disqualification involving a prior or current offense by the parent who has perpetrated an egregious act of violence, sex crime, or other aggravated child abuse crime;
 - ii. The parent is incarcerated for an extended period of time;
 - iii. The parent has severe uncontrolled mental illness or a severe intellectual disability that would prevent him or her from participating in therapy;
 - iv. The parent has substance abuse or substance use issues and is not willing to participate in treatment for the substance abuse or substance misuse or the parent has not been successful in behavior modification and refraining from use of substances that prevent meaningful participation in the Early Childhood Court program; and,
 - v. The parent is otherwise unable to commit to intensive intervention.
- 3. **Referral Process:** Cases are identified and referred to Early Childhood Court in several ways including, but not limited to, review of shelter and/or dependency petitions by judges in the Dependency Division or the Community Coordinator for Early Childhood Court, by referral from an attorney of record for a parent, Department of Children and Families staff, Case Management, and the Guardian ad Litem Program. A referral form must be completed and submitted to the Community Coordinator for Early Childhood Court for consideration.
- 4. **Screening Process:** Upon identifying an eligible case, there will be a screening process. The Community Coordinator will meet with parents and their attorneys to explain the Early Childhood Court program. If the parent(s) agree, attorneys may notify the Community Coordinator in writing that they will opt out of attending the screening with the parent(s). The purpose and scope of this meeting is to determine if a parent is interested in voluntarily participating in Early Childhood Court and assess the parent's willingness, desire, and ability to engage in the program expectations including, but not limited to, frequent monthly therapeutic appointments, family time visitation, family team meetings, and court hearings.
- 5. **Participation Process:** If the parent(s) are to voluntarily participate in Early Childhood Court, the following procedures shall occur after the child or child(ren) are adjudicated dependent:
 - a. The identified parent(s) will review and sign a form for "Consent to Participation and Treatment in Early Childhood Court" and a form for "Waiver of Confidentiality and Consent to Exchange Information". Parent will accept transfer of the case to Early Childhood Court and agree to participate in clinical assessments, treatment, and other interventions in Early Childhood Court; the case will be transferred by court order to Early Childhood Court; and all further hearings will be transferred to the Early Childhood Court docket.

- b. The Clerk and/or court staff shall set the case on the Early Childhood Court docket and set all future hearings before the Judge for Early Childhood Court.
 - c. The identified parent(s) and child(ren) will meet with the infant mental health specialist and participate in in-depth clinical assessments and treatment interventions as recommended, including, but not limited to, Child Parent Psychotherapy.
 - d. An infant mental health specialist conducts an in-depth clinical assessment of the parent(s), the child(ren), and their attachment relationship, which supports the case plan and treatment plan. From this assessment, primary treatment modalities are recommended to the Court.
 - e. 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.
 - f. The Early Childhood Court program will provide participating families with additional services through its community partnerships to support parents in completing case plans with the Department of Children and Families while addressing the unique needs of young children involved in dependency cases. Parents are expected to engage in treatment for substance abuse and/or mental health conditions as well as life skills and parenting classes as recommended or ordered by the Court. Assessment and treatment will be made available to the parents and child(ren).
6. **Docket:** Early Childhood Court dockets will be held monthly at the Moore Justice Center, 2825 Judge Fran Jamieson Way, Viera, FL 32940 as scheduled by the Court. Early Childhood Court Team members will participate as much as possible in staffings, monthly family team meetings, monthly provider meetings, and stakeholder meetings.
7. **Permanency Planning:** Concurrent planning will be implemented from the beginning of the case with concurrent goals being established, if needed. The Court does not discharge parents from Early Childhood Court if parents are unable to be successfully reunified and will proceed with another permanency goal. 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. If the identified parents elect not to participate or are removed from the Early Childhood Court for any reason, the Clerk and/or court staff shall transfer the case back to the previously assigned Dependency Court division docket for further proceedings.
8. **Releases of Information and Waiver of Hearsay Objections:** All Early Childhood Court participants shall be responsible for compliance with the terms and conditions as set forth in Early Childhood Court forms and documents, as otherwise ordered by the Court, and as set forth in Chapter 39, Florida Statutes. This includes parents signing releases of information for treatment providers to share otherwise confidential treatment information with the Early Childhood Court Team. In signing releases of information, parents provide voluntary and informed consent permitting team members to share and exchange specified information through written, electronic and verbal means of communication. Parents/participants agree to waive hearsay objections to the Court receiving and considering different types of written reports containing otherwise confidential and legally protected information pertaining to parents' and child(ren)'s medical and therapeutic treatment records, reports and other

documentation including, but not limited to, substance abuse, domestic violence and mental health assessments and treatment.

9. **Program Monitoring and Evaluation:** The Administrative Office of the Court, in collaboration with Early Childhood Court partners, including the Community Coordinator, will collect and maintain statistical data for the program and seek to identify and implement continuing quality improvements.
10. **Policies and Procedures:** Policies and operating procedures for the Early Childhood Court program will be put in place by the presiding Dependency Court Judge and modified as needed and made available on the website for the Eighteenth Judicial Circuit in Brevard County. Parties, participants, and team members of Early Childhood Court are expected to follow these policies and procedures that are to conform to the Early Childhood Court Best Practice Standards of November 2019, as adopted by the Florida Supreme Court.

DONE AND ORDERED this 27th day of January, 2022.

JESSICA RECKSIEDLER
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CHIEF JUDGE

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