

IN THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA
ADMINISTRATIVE ORDER NO. 5.555 (B)

DEPENDENCY DRUG COURT

WHEREAS, issues of abuse, abandonment, and neglect of children involved in dependency actions and termination of parental rights proceedings are often related to an underlying substance addiction of one or both of the parents;

WHEREAS, the Court Administrator's Office of the Eighth Judicial Circuit, in partnership with the Department of Children and Families, has determined that the implementation of a dependency drug court program will assist parents whose children have been adjudicated dependent and who may have their parental rights terminated as a result of their addiction; and

WHEREAS, a dependency drug court program can provide intensive drug treatment for parents who have substance abuse problems and give these parents an opportunity to overcome their addiction so that they will be able to maintain or regain a parental relationship with their children;

THEREFORE, it is hereby

ORDERED that:

1. The Eighth Judicial Circuit Dependency Drug Court Program ("Program") is hereby established. The program will begin in Alachua County, with expansion into regional counties as resources become available.

2. The criteria for participation are
 - a. A petition for dependency regarding the parent's child or children has been filed in Alachua County; and
 - b. The parent has a history of substance abuse.
3. When the Department of Children and Families ("Department") suspects that a parent may have a substance abuse problem, the Department shall ask the judge at the shelter hearing to order the parent to undergo a Dependency Drug Court assessment. At the assessment, the treatment provider will evaluate the parent to determine if the parent is appropriate for the Program. If the parent is deemed appropriate, the parent will be court ordered to participate in the Program.
4. A parent ordered to mediation during the dependency proceedings may also become a candidate for the Program. If the Program is a part of a mediated agreement, the Department shall make a referral to the treatment provider and schedule an intake appointment. The parent shall undergo the same intake procedures to determine if they are appropriate for the Program. If the parent is deemed appropriate, the parent will be court ordered to participate in the Program.
5. In the event that the parent does not meet the criteria for entering the Program, or fails to comply with the program after entry, the Department will review the case to determine if a termination of parental rights proceeding should be initiated.
6. The Program will consist of a multi-phase treatment model of services, to include intensive outpatient counseling, case management, random urinalysis, and crisis support provided by the treatment provider. The Alachua County Dependency Drug Court team shall consist of the Dependency Drug Court judge or magistrate; the Court Administration Drug Court

Coordinator; the Child Welfare Legal Services attorney; a supervisor from the Partnership for Strong Families; a representative from the Guardian ad Litem Program, and the treatment provider. The treatment provider will work with the Department to provide the treatment required by each participant allowing for information regarding the parent to be forwarded to the Dependency Drug Court judge or magistrate. The team shall conduct staffings prior to each dependency drug court session to review the current cases and make determinations on new referrals.

7. The dependency case will continue to be reviewed in dependency court according to state mandates to ascertain compliance with the case plan.

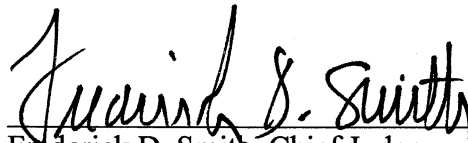
8. Dependency Drug Court will be in session one day a week as directed by the Dependency Drug Court judge or magistrate. Cases will be reviewed in Dependency Drug Court on a weekly basis until the parent completes the initial phase of the Program. During phases two, three, and four, cases will be reviewed on a bi-weekly basis, or as determined by the judge or magistrate.

9. The treatment provider has a valid interest in having partial access to the dependency court file of a child whose parent is a current participant for the purpose of assisting that parent in complying with the case plan. The treatment provider is therefore authorized to attend hearings and have electronic access to the docket and events of the specified court files pursuant to section 39.0132(3), Florida Statutes (2007). The treatment provider shall not disclose any information obtained from that access to persons other than those authorized by that section. *See* § 39.0132 (4), Fla. Stat. (2007).

10. When Dependency Drug Court is in session, bailiffs assigned to Dependency Drug Court shall follow the security procedures outlined in Administrative Order No. 8.1180 (C), for courtroom decorum and management; prisoner-handling procedures; facility procedures; arrest procedures; and night security and other duties.

11. This order replaces Administrative Order 5.555(A), entitled Dependency Drug Court, dated March 2, 2004.

ORDERED on 10 January 2008.



Frederick D. Smith, Chief Judge