

The Dependency Outlook



THE OFFICE OF COURT IMPROVEMENT

Summer 2013

On the Move with Regional Safety Trainings

Judge Elizabeth Krier, Twentieth Judicial Circuit, is making her way across Florida and leading a statewide effort to train judges and magistrates on the practices found in, [Child Safety: A Guide for Judges and Attorneys](#). The guide is a product of the American Bar Association (ABA) and is designed to provide judges with practical information about child safety in order to improve decision making related to safety, permanency, and well being.

Judge Krier is working with H. Stephen Pennypacker, Esq. from Children's Legal Services at the Department of Children and Families (DCF), and Timothy Travis, Esq. from the National Resource Center on Legal & Judicial Issues. The team has tailored the trainings to cover the information in the ABA's safety guide and also address how it relates to DCF's new safety decision-making methodology and the ongoing [Child Protec-](#)



Judge Elizabeth Krier, H. Stephen Pennypacker, Esq., and Timothy Travis, Esq.

[tion Transformation Project](#).

A goal of DCF's child protection transformation is to enhance child safety and do so in a consistent way throughout the state. The child protection transformation and safety decision-making methodology will impact child welfare practice throughout the state on multiple domains—including in the courtroom.

Three of the regional safety trainings have already taken place. The final two trainings are scheduled for August 23 in Tallahassee for circuits 1, 2, and 14, and August 27 in Orlando for circuits 5, 9, 10, 18, and 19. For those unable to attend a safety training, a video of the trainings should be available soon.

For more information on the safety trainings, please contact Jovasha Lang at langj@flcourts.org or (850) 617-4003.

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Model Courts to Focus on Evidence-Based Practice

When a judge orders someone to complete a parenting program, how does he or she know that the program actually works? Does showing up for a few appointments and receiving a certificate produce better outcomes for children? Can efforts be reasonable if there is no evidence that the intervention works in the first place?

Florida's Model Courts are going to focus on developing and utilizing evidence-based practices (EBP) as a way to know the answers to questions like these. [Evidence-based practices](#) use the best research evidence, the best clinical experience, and are scientifically evaluated and proven to produce positive results. EBP will take center stage at the Model Court All-Sites Meeting in August. If you would like to learn more about EBP before then, the [California Evidence-Based Clearinghouse](#), and the [Child Welfare Information Gateway](#) have some excellent resources.

Educator Receives Children's Advocacy Award

Mimi Graham, director of Florida State's Center for Prevention and Early Intervention Policy, received the Joy Aukema Taps Children's Advocate of the Year Award on May 7. The award, sponsored by Legal Services of North Florida, is given annually to an individual who has shown leadership and compassion for children throughout LSNF's regional service area. It is named for Taps, a senior attorney with the Office of the Attorney General in Tallahassee, who died in 2005.

"Dr. Graham's selfless nature and unwavering commitment to improving the lives of children makes her a stand-out not only here in Tallahassee, but throughout Florida," said Gary K. Ostrander, Florida State's vice president for Research. "Her work exemplifies the type of impact that FSU researchers are having on the community every day, and I congratulate her on this well-deserved honor. Graham was recognized for her efforts in starting an early intervention court in Leon County to promote healing for children struggling with dependency; her efforts to expand the Young Parents Program aimed at pregnant and parenting girls in delinquency in Leon County and Miami/Dade County; and her involvement with the Office of Court Improvement in helping to translate the science of attachment and early childhood for the courts.



Dr. Mimi Graham

"Much of the intergenerational abuse, drug addictions and mental health problems are the result of unhealed early trauma," Graham said. "I really believe that we could transform our world if we healed early childhood traumas, and that early is better but it is never too late to heal." The "science of adversity," according to Graham, provides a chance to rethink the role of the courts and to launch a new era of "therapeutic jurisprudence." "If we use the science and heal the early trauma, we can change the tragedy that brings families into the courts into an opportunity to heal, a chance to break the cycle of abuse and violence that we see all too often," Graham said.

Judge Lynn Tepper of the Sixth Judicial Circuit in Dade City, Florida, praised Graham. "Having taught with Dr. Graham throughout the state for nearly three years, I can assure you she has been responsible for an incredible transformation of Florida's court-involved families," Tepper said. "Dr. Graham has succeeded in causing a paradigm shift in attitudes and approaches throughout the child welfare system. "Florida is blessed to have such an insightful, effective educator as Dr. Mimi Graham," Tepper said.

Original article by Jeffery Seay published May 10, 2013 in [Florida State 24/7](#).

Child Protection Transformation Project Updates

The Department of Children and Families' [Child Protection Transformation Project](#) has focused on developing the right strategies, solutions, and technologies to achieve lasting safety, permanency, and well-being for Florida's children. The transformation project has introduced a host of new practices and interventions designed to achieve these goals, and additional long-term changes are still being implemented.

A centerpiece of the transformation project is a new safety assessment process called the [Florida Safety Decision Making Methodology](#). The methodology focuses on six key areas of inquiry: extent of maltreatment, surrounding circumstances, child functioning, adult functioning, general parenting practices, and disciplinary practices. A great deal of training and system modifications are currently taking place to fully integrate the safety methodology and other transformation initiatives into department-wide practice. In fact, the [Florida Safe Families Network](#) (FSFN) has just been updated with a new release that will provide quicker, clearer, and more accurate information to child protective investigators.

DCF staff are being trained on these changes via several [eLearning Modules](#) and from highly-trained safety practice experts who are providing direct, in-person training across the state.

Floridians Stepping Up to Become Foster Parents

Last June, Florida Department of Children and Families (DCF) Secretary David Wilkins set the ambitious goal of recruiting 1,200 new foster parents in just one year. That goal was [achieved](#) last month. Though the department has reached its goal, foster parent recruitment continues to be a top priority for DCF.

Foster parent recruitment efforts are also ongoing at local levels throughout the state. More foster families are needed in Orange, Osceola, and Seminole counties. Open Hearts Family Services is a program operated by United Methodist Children's Home and is similarly in search of 1,200 foster and adoptive parents to provide loving families for children in the region. The program recently hosted a series of question and answer sessions to assist families with the recruiting process. The sessions featured a panel of foster care experts for potential parents who are considering helping foster children.

For families who are interested in becoming foster parents, the process may take up to six months. Upon completing the process of becoming a foster parent, foster children may reside in the homes of their foster parents for a few months to several years. Caring families who are willing to open their homes to foster children are encouraged to contact [DCF](#), the [Open Hearts Family Services](#), or a local foster family organization to find out how they can be matched with children in need of a family. For additional information, please view the following article from the [Seminole Chronicle](#).

New Bench Cards for the Trauma-Informed Judge

The [National Child Traumatic Stress Network](#) (NCTSN) is an organization working to raise the standard of care and access to services for traumatized children and their families. A focus of the NCTSN is to advance trauma-informed services and interventions that are shown to be effective and that improve the standard of care for the people utilizing these services.

The NCTSN works collaboratively with a broad range of stakeholders including juvenile justice, the courts, mental health professionals, child welfare, law enforcement, and health care providers because people in these fields routinely interact with people who have experienced trauma. In the context of the courts, the NCTSN recently released two bench cards for the trauma-informed judge. The bench cards provide judges with useful questions and guidelines to help them make decisions based on the emerging scientific findings in the traumatic stress field. The following link will take you directly to the [bench cards](#).

Child Protection Summit 2013

The 13th annual Child Protection Summit will take place August 28-30 at the Peabody Hotel in Orlando. The summit offers judges, magistrates, child protection investigators, case managers, lawyers, stakeholders, and service providers an opportunity to learn about best practices related to child protection, safety, and well-being. National and statewide experts in child welfare will conduct workshop sessions that will contribute to the professional development of all participants. Please click the link for [registration](#) and general summit information.

A Model Courts All-Sites Meeting will be held in conjunction with the summit. The afternoon of August 27 is set aside for judges and magistrates only, and the morning of August 28 is designed for judges, magistrates, and model court teams. The chief judges of every circuit will be contacted soon to select the makeup of each circuit's team that will attend the all-sites meeting.

For additional information about the summit or the all-sites meeting, please contact Jovasha Lang at langj@flcourts.org or (850) 617-4003.

Just in time for Mother's Day, Duval families make adoptions

Balloons and babies packed Room 204 inside the Duval County Courthouse on Friday morning. In all, 24 children were formally taken in by 19 families during an adoption ceremony two days before Mother's Day. Circuit Judge David Gooding presided. He's overseen about 1,500 adoptions since taking the bench. But it never gets old, he said. It always feels new, like when smiling parents walk out of a hospital delivery room holding a child. "Government is a poor substitute for a parent," Gooding said before the adoptions began. "Children need arms to hold them, ears to hear them and hearts to love them. Government has none of those things."

Inside his courtroom, all ages were represented. There were 3-month-old babies and there were 17-year-olds. Fatima Emanuel, 44, was there adopting a brother and sister. A single woman, Emanuel works at Hope Haven Children's Clinic and has never had children of her own. For five years she has fostered children. She adopted Harmony, 1, and Romeo, 3, after fostering them for a while. The siblings becoming part of her family

felt like a "calling," she said. "It's so surreal," she said of becoming a parent. She's been trying



Fratina Emanuel, Romeo, and Harmony wait for a hearing to finalize their adoption.

to teach Romeo his new last name and laughing with him as he tries to get the pronunciation right.

Then there was Mitcheal and Charity Landry, who live and work in Jacksonville. They added Zoe Grace, 1, to their family during the adoption ceremony. Now there are four Landry children - all girls. Gooding asked the couple, like he asked all the families, why they felt they should adopt Zoe, whom they have been fostering. "She's already part of our family," Charity Landry said. What was happening Friday was only a formality, she said. Then the Landry family was off for an early Mother's Day dinner. And they wouldn't rule out the possibility of adding another child to the mix one day. Mitcheal Landry said he might decide he needs a son.

Anyone considering adopting a child via foster care can visit the Family Support Services of Jacksonville website at www.fssjax.org.

Original article by William Browning published May 10, 2013 by "Florida Times-Union" at the following link: <http://jacksonville.com/news/metro/2013-05-10/story/just-time-mothers-day-duval-families-make-adoptions>

2013 Dependency Legislation

The 2013 Legislative Session saw the passage of three major bills that will affect chapter 39 proceedings: HB 215, SB 964, and SB 1036. HB 215 is also known as the Quality Parenting for Children in Foster Care Act and creates a new subsection in chapter 39. SB 964 creates a new statutory ground for termination of parental rights. SB 1036 is an act relating to independent living and makes several changes to chapter 39.

HB 215 creates new section 39.4091, Florida Statutes on participation in childhood activities for children in foster care. The Florida Legislature stated its intent to recognize the importance of normalizing the lives of children in out-of-home care and to empower caregivers to approve (or disapprove) a child's participation in activities based on the caregiver's own assessment using a reasonable and prudent parent standard, without prior approval of the department, the caseworker, or the court. The new statute defines the reasonable and prudent parent standard as "the standard characterized by careful and sensible parental decisions that maintain the child's health, safety, and best interests while at the same time encouraging the child's emotional and developmental growth, that a caregiver shall use when determining whether to allow a child in out-of-home care to participate in extracurricular, enrichment, and social activities." The law sets forth the requirements for decision-making, including specific criteria for the caregiver's consideration.

2013 Dependency Legislation, continued

A separate aspect of the law is the enactment of new subsection 39.522(3), Florida Statutes regarding reunification. The new subsection provides that “[i]n cases where the issue before the court is whether a child who is placed in the custody of a parent should be reunified with the other parent upon a finding of substantial compliance with the terms of the case plan, the standard shall be that the safety, well-being, and physical, mental, and emotional health of the child would not be endangered by reunification and that reunification would be in the best interest of the child.” HB 215 took effect on July 1, 2013.

SB 964 creates a new ground for termination of parental rights. The ground applies when the child was conceived as a result of an act of sexual battery made unlawful under section 794.011 or similar law of another jurisdiction. Chapter 2013-132, Laws of Florida. The ground creates a statutory presumption that termination of parental rights is in the best interest of the child if the child was conceived as a result of the unlawful sexual battery. A TPR petition under the new ground may be filed at any time. Finally, the new ground requires that the court accept a guilty plea or conviction of unlawful sexual battery under section 794.011 as conclusive proof that the child was conceived by a violation of criminal law as set forth in the ground. Finally, the law also permits the ground to be used for expedited TPR as well as one-parent TPR. The law became effective on July 1, 2013 but explicitly applies to all unlawful acts of sexual battery occurring before, on, or after that date.

Also known as the Nancy C. Detert Common Sense and Compassion Independent Living Act, SB 1036 extends the court’s jurisdiction over foster children until 21 years of age unless a young adult chooses to leave foster care upon reaching 18 years of age or if a young adult does not meet the eligibility requirements to remain in foster care under newly created section 39.6251 or chooses to leave care under that section. Chapter 2013-178, Laws of Florida. The law creates new section 39.6035 which requires that during the 180 day period after a child reaches age 17, DCF and the CBC provider, in collaboration with the caregiver and any other individual the child wants to include, must assist the child in developing a transition plan in addition to standard case management requirements. The transition plan must address specific options for the child to use in obtaining services, including housing, health insurance, education, workforce support, and employment services. The law sets out several requirements for the department and CBC provider in developing the plan.

Furthermore, the transition plan must be reviewed periodically with the child, department, and other individual of the child’s choice and updated when necessary before each judicial review so long as the young adult remains in care. If a child is planning to leave care upon reaching age 18, the transition plan must be approved by the court before the child leaves care and the court terminates jurisdiction. The law also creates new section 39.6251 which, among other things, sets forth eligibility requirements

for a child to remain in licensed care. The judicial requirements are also amended.

The court must set a review at least every 6 months and hold a permanency review hearing at least annually. DCF and the CBC lead agency must prepare and submit to the court a report, developed in collaboration with the young adult, which addresses the young adult’s progress in meeting the goals in the case plan. It must also include progress information related to the young adult’s independent living plan and transition plan and propose any necessary modifications. The law also amends section 39.701, Florida Statutes regarding judicial review.

The law sets out the criteria that must be met in order for the department to close a case and the court terminate jurisdiction if the young adult has chosen to remain in extended foster care after reaching age 18. It requires that in all permanency hearings or hearings on the transition to independent living, the court must consult with the young adult regarding the proposed permanency plan, case plan, and individual education plan to ensure that the young adult has understood the conversation. The law amends section 409.145, Florida Statutes to enact a reasonable and prudent parent standard similar to the one established by HB 215. The law takes effect January 1, 2014.

For additional information contact: Avron Bernstein at bernsteina@flcourts.org.

Recent Events

APRIL

Family-Time Visitation: Why It's Worth All the Effort Model Courts Training - April 4, 2013

Approximately 75 child welfare professionals including judges, magistrates, and members of the legal community, gathered at the Woodland Community Church in Bradenton on a rainy day in April to watch and listen as Judge Lynn Tepper and Dr. Mimi Graham led a presentation about the importance of integrating the science of child development with the law when determining visitation plans. For additional information on the updated family time visitation protocols, please view the following link: [Family Time Visitation](#).

FDCIS Demonstration and Training – April 25, 2013

The Florida Dependency Court Information System (FDCIS) was presented to judges, magistrates, and court staff in the 15th Judicial Circuit, West Palm Beach, Florida. There was a great desire to learn more about FDCIS, and a lot of positive feedback was given to further develop the system.

MAY

3rd Annual “Conference by the Bay” Boasts Model Court Training – May 29-31, 2013

The 14th Judicial Circuit's annual three-day conference provided an excellent opportunity for judges, magistrates, attorneys, and child welfare specialists to learn about innovative practices and to affect change for families in the courts. Many of the area's child welfare, mental health, legal, and faith based stakeholders collaborated in workshops with topics including infant mental health, domestic violence, normalcy for foster children, and family time visitation. The model courts training, Family Time Visitation: Why it's Worth All the Effort, was presented by Judge Lynn Tepper and Dr. Mimi Graham at the conference.

Annual Court Improvement Program Meeting - May 1-3, 2013

Each year the court improvement program grantees from around the country meet to assess and examine the state of the program. This year, state CIPs examined the effectiveness of their program operations, explored the development of evidence-based practices, learned about various funding options, and discussed Title IV-D waivers.

JUNE

Administration for Children & Families visits Florida - June 5-6, 2013

Carola Pike with the Administration for Children & Families returned to Florida to meet with officials from the Department of Children and Families and the Office of the State Courts Administrator. Ms. Pike reviewed the ongoing efforts by the department and the state court with respect to Florida's statewide dependency improvement practices including the Annual Progress and Services Report, Continuous Quality Improvement, and Model Courts.

The Child's Journey Through the Court System - June 7, 2013

A training on how to help a child in foster care before, during, and after a court hearing was held in the Second Judicial Circuit at the Florida Baptist Children's Home, Tallahassee, Florida. Approximately 138 caregivers, GALs, case managers, mental health professionals, judges, magistrates, and other court personnel participated in the training. Some main highlights of the training included scenarios, breakout groups, presentations by mental health experts, and judges' presentations from the court's perspective.

Florida Association for Infant Mental Health Conference - June 12, 2013

Members of the Florida Association for Infant Mental Health met in Tampa to learn more about how trauma affects infants and how early interventions to address trauma can have profound impacts on a child's development and long-term success in life. There is a great deal of evidence coming out of the field of infant mental health that shows specific interventions for trauma-exposed infants produce exceptionally positive results.

Events on the Horizon

JULY

National Association for Court Management (NACM) Annual Conference– July 14-18, 2013

San Antonio, TX

For additional information, please view the following link: <https://nacmnet.org/conferences/nacm-2013-annual-conference.html.bak>.

National Association of Drug Court Professionals (NADCP) 19th Annual Training Conference– July 14-17, 2013

Washington, DC

For additional information, please view the following link: <http://www.nadcp.org/nadcp-home/>.

Task Force on Substance Abuse & Mental Health Meeting– July 22-23, 2013

Tampa, FL

FDCIS Demonstration and Training - July 29, 2013

The Florida Dependency Court Information System (FDCIS) will be demonstrated to the judges, magistrates, and court staff of the 5th Judicial Circuit.

AUGUST

Regional Safety Trainings

August 23, 2013-Tallahassee, FL (Circuits 1, 2 and 14)

August 27, 2013- Orlando, FL (Circuits 5,9,10,18 and 19)

All-Sites Meeting– August 27-28, 2013

Peabody Hotel-Orlando, FL

For additional information, please contact Jovasha Lang at langj@flcourts.org or (850) 617-4003.

2013 Child Protection Summit– August 28-30, 2013

Peabody Hotel-Orlando, FL

For registration and general summit information, please view the following link: <http://www.cvent.com/events/child-protection-summit-2013/event-summary-c7c762878a9b4ae6848e54d9bbbed9cfo.aspx>.

Request for Articles

Do you have an idea for an article, a best practice to share, or an event to promote? If so, please consider submitting it for a future issue of this newsletter. Your contributions will make *The Dependency Outlook* a more effective and useful tool for judges, magistrates, and court staff throughout Florida. For more information and/or to submit an article, please contact Dacia Roberts at robertsd@flcourts.org.

Requests for Submissions

- Submit articles by the first of March, June, September, and December to be considered for the next newsletter.
- Articles should be related to dependency.
- Photos may be included with submissions.
- Submit articles/photos via email as Microsoft Word attachments.