

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER 5.702-7/16*

IN RE: FAMILY DRUG COURT
_____:


Florida Statute Chapter 39 requires the Court to rehabilitate parents with substance abuse problems to promote the parents' ability to regain custody of their child(ren). In 2009, Palm Beach County's Division of Justice Services, in conjunction with the Administrative Office of the Court, Department of Children and Families' (DCF's) Substance Abuse and Mental Health Office, applied for and was awarded a three year grant from the Office of Justice Programs to develop a Family Drug Court program in the Fifteenth Judicial Circuit. The Family Drug Court **addresses** substance abuse and other issues affecting the parents and their child(ren) in new dependency petitions. It offers a comprehensive and systematic approach to the treatment of substance abuse problems of parents while limiting the risk of physical and emotional harm to children with the ultimate goal of reunification. Essential components of the Family Drug Court program are cross agency and interdisciplinary training and ongoing data sharing and analysis.

NOW THEREFORE, pursuant to the authority conferred by the Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. A Family Drug Court is hereby established in the Fifteenth Judicial Circuit of Florida in the juvenile division "**JL**".
2. The treatment portion of the program will consist of a five phase model and participants will be required to participate in evidence based treatment, submit to frequent random drug testing, appear at regular court status hearings, and comply with other court conditions geared to accountability, rehabilitation, long-term sobriety and cessation of criminal activity.
3. The Family Drug Court will operate with a "team approach" with a minimum of the following team members: Judge, Family Drug Court Coordinator, Dependency Case Managers (**ChildNet/Children's Home Society**), Family Intervention Specialists (Drug Abuse Foundation), Children's Legal Services, Attorneys for the Parent's, Attorneys for the Children, the Guardian Ad Litem's Office, Substance Abuse Treatment providers and an Education Liaison.
4. Family Drug Court Hearings and Team Staffings **are held on Wednesday afternoons**.
5. The Family Drug Court Team will have discretion regarding the acceptance of new cases. At a minimum, potential Family Drug Court cases will be identified when: at least one parent has substance abuse issues; the primary goal for the family is reunification; the parent(s) admit to the abuse/neglect allegation; case jurisdiction is in Palm Beach County;

6. Clients with a history of the following exclusionary criteria are automatically excluded from participation in the Family Drug Court: alleged sexual perpetrators; persons who are incompetent; individuals who suffer from an un-stabilized mental disorder (paranoia, hallucinations, delusions, mania) lack of medical stabilization, failure to follow medical regime, or other functional impairment that would inhibit effective program participation; individuals with advanced terminal illness; individuals with an extensive history of violent or criminal offenses; individuals on methadone maintenance or pain management regime.
7. Upon identifying a case meeting the aforementioned eligibility criteria, the Court may present the Family Drug Court program option to the parent and explain that Family Drug Court is a voluntary program which offers wraparound, supportive services to parents with allegations of alcohol and drug use who are seeking reunification with their child(ren).
8. If the parent agrees to voluntarily submit to the Family Drug Court program option, the following procedures shall occur:
 - a. The identified participant(s) in the Family Drug Court will be scheduled for a Family Group Conference.
 - b. The Family Drug Court Coordinator shall meet with the parent deemed eligible for Drug Court to perform the intake, clinical screening and brief assessment for participant(s).
 - c. The parent will be referred to the Drug Abuse Foundation for an assessment within 72 hours.
 - d. The Drug Abuse Foundation will provide a treatment recommendation to the Family Drug Court Coordinator and the Dependency Case Manager.
 - e. The participant will attend an Arraignment Hearing within twenty eight days of the Shelter Hearing, wherein their Consent to the allegations in the Petition will be entered and the Initial Drug Court Hearing will be set within one week. If Arraignment has already occurred, an Initial Drug Court Hearing will be set within one week of an eligible client's agreement to participate in the program.
9. All Family Drug Court participants shall be responsible for compliance with the terms and conditions as set forth in the Family Drug Court acknowledgment and agreement forms, as otherwise ordered by the Court, and as set forth in Chapter 39, Florida Statutes.

DONE and ORDERED in Chambers at West Palm Beach, Palm Beach County this 25
day of July, 2016



JEFFREY J. COLBATH, Chief Judge

*supersedes admin. order 5.702-6/10