

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

ADMINISTRATIVE ORDER 5.706-01/2020

IN RE: JUVENILE DIVISION - THERAPEUTIC COURT

_____:

According to national research studies, up to 80% of foster youth suffer from mental health issues and are about three times as likely to have Attention Deficit Disorder or Attention Deficit Hyperactivity Disorder, five times as likely to have anxiety, six times as likely to have behavioral problems, and seven times as likely to have depression than children not in the child welfare system. A significant number of children in the child welfare system are also prescribed psychotropic medications. The Administrative Office of the Court has partnered with the Department of Children and Families, ChildNet, Children's Home Society of Florida, the Guardian Ad Litem Program, Palm Beach County Legal Aid Society, the Clerk and Comptroller, and other community partners from the child welfare and treatment communities to create a Therapeutic Court focused on children in the child welfare system who have mental health issues.

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

1. A Juvenile Division Therapeutic Court is hereby established in the Fifteenth Judicial Circuit of Florida.
 - a) The goal of Therapeutic Court is a team approach to helping children achieve permanency by addressing their clinical needs through appropriate services and placement, judicial oversight, and review of psychotropic medication.
 - b) Therapeutic Court's core components include frequent judicial oversight, the creation of a non-adversarial courtroom atmosphere where the Therapeutic Court team works together to ensure the child is getting the most appropriate treatment to address his/her therapeutic needs, and continuing education for team members on issues related to the therapeutic needs of dependent children.
2. The Therapeutic Court multidisciplinary team ("Therapeutic Court Team") consists of the assigned General Magistrate, members from Children's Legal Services, Guardian Ad Litem's Office, Legal Aid Society of Palm Beach, private attorneys for the child, Dependency Case Manager, ChildNet, and other clinicians or community partners serving the child.

3. Therapeutic Court dockets will be held monthly on the third Thursday in the Main Courthouse, from 1:30pm to 4:00pm (time and location subject to change). Therapeutic Court Team members will participate in weekly staffings and other meetings/trainings as needed. The General Magistrate may elect not to attend the weekly staffings.
4. The Therapeutic Court Team will have discretion regarding the acceptance of new cases. The target population are children in the dependency system who are placed in out-of-home care, have mental health issues, and are: a) on or being considered for psychotropic medication, b) in a therapeutic placement, or c) have a history of disruptive behavior resulting in multiple placements. Children whose parents' rights have been terminated will take priority. The case jurisdiction shall be Palm Beach County.
5. Acceptance into Therapeutic Court is based on Therapeutic Court Team approval and agreement from the parties on the case, including the Divisional Judge. The Therapeutic Team will review the case to ensure its resource needs can be met by the Therapeutic Court Team. This determination will take into account how many other cases are currently in Therapeutic Court as well as the severity of the mental health issues and current status of interventions in place.
6. Cases are identified in several ways including but not limited to referrals from a Judge or Magistrate, Therapeutic Court Team member, or other court stakeholder. If another court stakeholder identifies a case that might be appropriate for Therapeutic Court, they should fill out a referral form, which is attached hereto, and provide it to the Therapeutic Court Team member in their agency. The Therapeutic Court Team member will present it to the Therapeutic Court Team for consideration at the next Therapeutic Court staffing or via the team email.
7. Once a case is accepted into Therapeutic Court, the following shall occur:
 - a. A Therapeutic Court Team member will draft an Order for Referral to Therapeutic Court and all future hearings will be transferred to the Therapeutic Court docket.
 - b. The case will remain in the original division, but all orders will be signed by the Therapeutic Court Judge.
 - c. The Therapeutic Court Team will schedule a staffing to review the comprehensive summary.
8. Once the case is within Therapeutic Court it will stay within Therapeutic Court until: a) permanency is achieved, b) the child ages out, or c) the child declines to participate.
9. All Therapeutic Court participants shall be responsible for compliance with the terms and conditions as set forth in the Therapeutic Court forms, as otherwise ordered by the Court, and as set forth in Chapter 39, Florida Statutes.

10. The Administrative Office of the Court, in collaboration with Therapeutic Court partners, will collect and maintain statistical data for the program.

DONE and ORDERED in Chambers at West Palm Beach, Palm Beach County this 28th day of January 2020.

A handwritten signature in cursive script that reads "Krista Marx". The signature is written in black ink and is positioned above a horizontal line. To the right of the signature, the word "JUDGE" is faintly visible in a light blue or grey color.

KRISTA MARX, Chief Judge

Fifteenth Judicial Circuit Therapeutic Court Referral Sheet

Referral Submitted by: _____

Case Name:

Case Number and Division:

| Parties | Name | Objection to the Case Coming into Therapeutic Court? |
|----------------------------|------|---|
| CLS Attorney | | |
| GALP Attorney | | |
| AAL | | |
| Child | | |
| Mother | | |
| Mx's Attorney | | |
| Father | | |
| Fx's Attorney | | |
| Father 2 | | |
| Fx 2's Attorney | | |
| | | |

Below please give a brief description of why you believe this case will benefit from the increased supervision that Therapeutic Court is able to provide. This may include the current status of the case, any psychotropic medications that the child is currently prescribed, any mental health issues the child has, if they are in a therapeutic placement, if the child has a history of disruptive behaviors resulting in multiple placements, etc. Please note that this referral will NOT guarantee that the case will be transferred to Therapeutic Court. The Therapeutic Court Team will make a decision on whether the case is appropriate for Therapeutic Court and will notify parties upon making a determination. Cases where parental rights have been terminated will take priority.

This case is appropriate for Therapeutic Court because: