

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO.: V-02-K-1

RE:
ESTABLISHMENT OF A
DEPENDENCY DRUG COURT
PILOT

WHEREAS, the rate of substance abuse among parents and legal custodians of children alleged to be abused, neglected or abandoned is significantly high; and

WHEREAS, the court, the Department of Children and Families, Child Protective Investigations Division of the Broward Sheriff's Office, Child Welfare Legal Services Division of the Office of the Attorney General, Guardian Ad Litem Program, and appointed counsel have met and developed protocol and procedures for the eligibility criteria and operations of a Dependency Drug Court Pilot; and

WHEREAS, it is in the best interest of children and families that this circuit pilot a Dependency Drug Court to provide the most appropriate permanency options for children and families at the earliest possible time in a dependency case; and

In accordance with the authority vested in the Chief Judge, by Rule 2.050 of the Florida Rules of Judicial Administration, it is

ORDERED that:

There is established a Dependency Drug Court Pilot in the Seventeenth Judicial Circuit, which will operate in Dependency Subdivision DB. Cases meeting the eligibility criteria may be assigned to the Dependency Drug Court Pilot by the presiding judge if the affected parties knowingly and willfully consent to the assignment by executing the proper consents and agreements developed for the Dependency Drug Court Pilot.

Eligibility Criteria:

1. Principal residence will need to remain in Broward County for the next 12 months.
2. The prospective participant shall have no open or pending felony criminal charges or related open probation cases. (Misdemeanor offenses unresolved, or active misdemeanor probation, or unresolved traffic citations/infractions will be reviewed and considered on a case-by-case basis for eligibility).
3. The prospective participant shall have no present mental disorder that would preclude the participant for standard functioning within the Dependency Drug Court Pilot.

4. The alleged harm, established risk, and resulting "protective" factors for the dependency case implicate principally the Dependency Drug Court Pilot participant as the offending parent.
5. The presumed chemical dependency issue of the Dependency Drug Court Pilot participant appears to be the principal reason for the participant's inability to provide properly for the dependent child(ren).
6. The referred participant must have no prior dependency action on child or siblings within the past two years, except for a withheld adjudication, dismissal, or special condition case. The court's approval shall be required for any exceptions.
7. The referred parent shall have no other adult in their home regarded as presently chemically addicted and not in active treatment. The court's approval shall be required for any exceptions.
8. The cases must not appear appropriate for the initiation of "Expedited termination of parental rights" in the initial stages of the dependency action. In addition, there must be no allegations that the parent or parents have committed any of the acts listed as grounds for expedited termination of parental rights in s. 39.806(1)(d), (f)-(i), Florida Statutes.

The affected parties will be held to the terms and conditions as set out in the Dependency Drug Court acknowledgments and agreements executed by them and as otherwise ordered by the court and as stated in Chapter 39, Florida Statutes.

Dependency Drug Court Pilot cases will be reviewed on a weekly basis by the presiding judge or assigned general master, unless otherwise ordered by the court.

DONE AND ORDERED in Chambers in Fort Lauderdale, Broward County, Florida this 26th day of February, 2002.

/s/DALE ROSS
DALE ROSS, Chief Judge