

**ADMINISTRATIVE ORDER GOVERNING THE JUVENILE DEPENDENCY
DRUG COURT PROGRAM, ORANGE COUNTY**

WHEREAS, pursuant to Article V, Section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

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 parents; and

WHEREAS, the Ninth 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;

NOW, THEREFORE, I, Belvin Perry, Jr., pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215 hereby order the following, **effective immediately** and to continue until further order:

1. The Ninth Judicial Circuit Dependency Drug Court Program for Orange County (“Program”) is hereby established.

2. The criteria for participation are:

a. A petition for dependency regarding the parent’s child or children has been filed in Orange County; or

b. A non-shelter petition case referred by the Department of Children and Families (Department); and

c. The parent has a history of substance abuse; and

d. The parent is a resident of Orange County.

3. When the Department or an attorney associated with the case suspects a parent may have a substance abuse problem, the Department or attorney may ask the judge at the shelter hearing to order the parent to undergo a Dependency Drug Court screening and follow the recommendations of the Program and treatment provider. The judge may also order a screening at his or her own discretion.

4. A community based care agency case manager or the Department may refer a parent to the Program if the case plan is mediated and includes a referral to the Program for a screening and instructions for the parent to follow the recommendations of the Program and treatment provider.

5. At the screening, the Juvenile Drug Court Program Office (Program Office) will determine if the parent qualifies for the Program. If a parent qualifies for the Program then the screening documents will be sent to the treatment provider for assessment. If the parent is deemed appropriate by the Orange County Dependency Drug Court team based on the screening

and assessment, the parent will be court ordered to participate in the Program.

6. In the event that the parent does not meet the criteria for entering the Program, or fails to comply with the Program after entry and is discharged, the Department will review the case to determine if a termination of parental rights proceeding should be initiated.

7. The Program will consist of a multi-phase treatment model of services, to include intensive outpatient counseling, case management and random urinalysis testing. The Orange County Dependency Drug Court team shall consist of the Dependency Drug Court judge, the Drug Court Manager, the Drug Court Coordinator, the Child Welfare Legal Services attorney, the Case Manager for the community based care agency assigned to the case and the treatment provider. The team shall conduct staffings prior to each dependency drug court session to review the status of current cases.

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

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

10. 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. Pursuant to section 39.0132(4), Florida Statutes, the

treatment provider shall not disclose any information obtained from that access to persons other than those authorized by that section.

DONE AND ORDERED at Orlando, Florida, this 27th day of August, 2013.

_____/s/_____
Belvin Perry, Jr.
Chief Judge

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