

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

Administrative Order 2009-33-UFC

ADMINISTRATIVE ORDER ESTABLISHING
VOLUNTARY DEPENDENCY DRUG COURT PROGRAM

- (a) Florida Rule of Judicial Administration 2.215(b) (3) states the chief judge shall “develop an administrative plan for the efficient and proper administration of all courts within that circuit.”
- (b) The Seventeenth Judicial Circuit established a pilot drug court program for dependency proceedings in 2001 which has proven successful in reuniting children and parents.
- (c) Chapter 2006-97, Laws of Florida amended Chapter 39 as to dependency drug court programs.
- (d) In accordance with the authority vested in the chief judge by Florida Rule of Judicial Administration 2.215, it is ordered:
 - (1) A voluntary dependency drug court program is established as authorized by Chapter 39, Florida Statutes.
 - (2) The court after determining good cause shall order a substance abuse assessment or evaluation of a parent or person with custody or a person requesting custody of a child as authorized by §39.407(16), Fla. Stat.
 - (3) The court shall set a status conference within fourteen (14) days after the order for a substance abuse assessment or evaluation is entered. The court may order a substance abuse assessment or evaluation at the time of the shelter hearing and schedule a status conference for fourteen (14) days after the shelter hearing provided the parent or person with custody or a person requesting custody of a child is provided a copy of any pleading/paper prior to the shelter hearing of the request for a substance abuse assessment or evaluation. The court shall enter an order of referral to a general magistrate for the status conference at the time the order for a substance abuse evaluation is entered by the court. The form of the proposed order is attached hereto and shall be presented to the court at the time of a hearing on whether a substance abuse assessment or evaluation is presented for consideration by the court.

(4) At the time of the status conference, if the report of the substance abuse assessment or evaluation indicates the person with custody or the person requesting custody of a child has a substance abuse issue, he or she, may be offered the ability to participate in dependency drug court.

(5) A parent or person with custody or a person requesting custody of a child may voluntarily consent to dependency drug court if:

he or she resides in Broward County OR he or she has a residential placement at a treatment facility in Broward, Miami-Dade, or Palm Beach Counties

AND

he or she can attend court weekly

AND

he or she can participate in all required substance abuse treatment programs

AND

he or she does not have a mental health diagnosis which is untreated or will impair participation in a substance abuse treatment program

AND

he or she does not have any pending misdemeanor or felony criminal charges OR he or she is not presently sentenced to jail or prison

AND

the case is appropriate for a reunification plan

(6) The parent, person with custody or a person requesting custody of a child who voluntarily consents to participate in the dependency drug court program shall be required to attend either a residential or non-residential treatment program as ordered by the court and comply with all requirements of the treatment program.

(7) This Administrative Order rescinds and replaces Administrative Order VI-02-K1.

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on March 4, 2009.

s/Victor Tobin
Victor Tobin, Chief Judge