

# PROBLEM-SOLVING COURTS FAMILY DEPENDENCY TREATMENT COURT

Policy and Procedural Manual

**Administrative Office of the Courts** 

Thirteenth Judicial Circuit Tampa, Florida



JULIANNE M. HOLT PUBLIC DEFENDER 13<sup>TH</sup> JUDICIAL CIRCUIT



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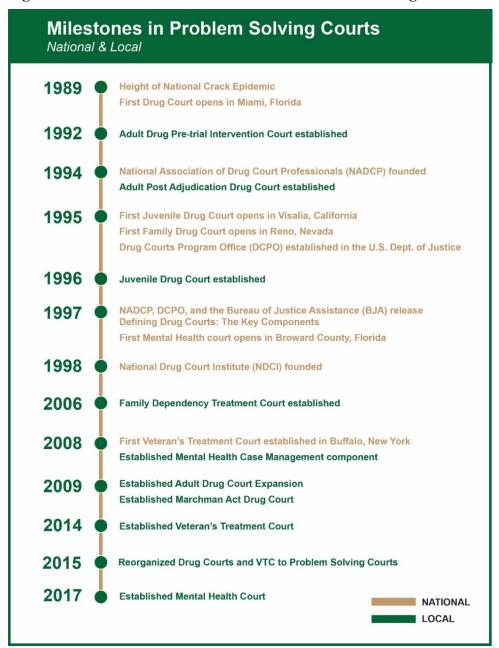
## **OVERVIEW**

Problem-solving courts began in the early 1990's in response to significant backlogs and overcrowding in the criminal justice system related to drug offenders, and to the ineffectiveness in preventing the rapid cycling of this population through the system. These programs attempt to address underlying problems of addiction and have incorporated a range of evidence- based treatment principles into the criminal justice system. Problem-solving courts combine community treatment services with court supervision.

Last year, the Florida Adult Drug Court Best Practice Standards (2017) incorporated professionalism and fidelity into the drug court model 
(http://www.flcourts.org/core/fileparse.php/539/urlt/Florida\_Adult\_Drug\_Court\_Standards\_Full\_Document.pdf). These standards are based largely on the research and analysis conducted by National Association of Drug Court Professionals (NADCP). Hillsborough County's Thirteenth Judicial Circuit Court will utilize these standards across the seven problem-solving courts. In some courts, these standards are still in development but are of critical importance to the court's goals.

This manual provides structure to decision making for all key stakeholders in problem-solving courts. The court reserves the right, in each individual case, to make discretionary decisions consistent with the law and public policy. As can be seen below, Figure 1 depicts a timeline for problem-solving court milestones at both the national and local level.

Figure 1. National and Local Milestones in Problem-Solving Courts



## **OVERSIGHT COMMITTEE**

Policies and procedures for the operation of the Thirteenth Judicial Circuit Court shall be established through the Problem-Solving Court Policy Manual and any change or amendment to this manual shall be made by the Oversight Committee. The purpose of the Oversight Committee is to gain input from committee member stakeholders, as well as to obtain their input and involvement in particular courts. The Committee is charged with recommending strategies to maintain the quality and effectiveness of treatment courts and to ensure viable treatment options. The Oversight Committee is comprised of the following individuals and representatives from the following agencies:

- Chief Judge
- Administrative Office of the Courts
- Public Defender's Office
- State Attorney's Office
- Department of Corrections' Community Corrections Office
- Hillsborough County Sheriff's Office
- Presiding Judges of Problem-Solving Courts

## **DEFINING ELEMENTS**

Florida's problem-solving courts address the root causes of justice system involvement through specialized dockets, multidisciplinary team and a non-adversarial approach. Offering evidence-based treatment, judicial supervision and accountability, problem-solving courts provide individualized interventions for participants, thereby reducing recidivism and promoting confidence and satisfaction with the justice system process. Problem-solving courts offer a specialized court docket and include, but are not limited to, the following elements:

- **Problem-Solving Team:** Broad-based team of justice system stakeholders including judges, case managers, prosecutors, defense attorneys, treatment professionals, law enforcement officers, corrections personnel, child welfare personnel, and guardians ad litem
- **Non-Adversarial Approach:** Commitment to offering alternatives to the traditional adversarial litigation process
- Continuum of Individualized Treatment Services: Array of evidence-based services designed to identify and meet the unique needs of each participant
- **Judicial Leadership and Interaction:** Judge who leads the problem-solving team and monitors the court case using an increased number of hearings for monitoring compliance and progress
- **Responses to Participant Compliance:** Use of graduated, individualized and coordinated responses, both for incentives and sanctions, to promote both public safety and participants success

## TEN KEY COMPONENTS

In 2000 and again in 2009, the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) issued joint resolutions concluding that drug courts and other problem-solving courts are the most effective strategy to reduce drug abuse, prevent crime and restore families. In recognition of this fact, CCJ and COSCA called upon the justice system to extend the reach of problem-solving courts to every citizen in need, and further, to infuse the principles and practices of these proven programs throughout our system of justice. A National Consensus Panel, convened by the U.S. Department of Justice and the National Association of Drug Court Professionals (NADCP; U.S. Department of Justice, 1997), developed the Ten Key Components.

Their conclusions echo more than two decades of scientific research establishing the effectiveness of drug courts and that fidelity to the Ten Key Components is essential for achieving successful, cost-effective outcomes. In 2008, the Buffalo Veterans Treatment Court adopted, with slight modifications, the essential tenements of the U.S. Department of Justice Publication entitled "Defining Drug Courts: The Key Components" (Jan.1997). The essential elements of Mental Health Court are culled from a variety of sources, including interviews with former Bureau of Judicial Assistance (BJA) Mental Health Courts Program (MHCP) grantees, on-site visits to grantee and non-grantee mental health courts and a review of the scholarly literature. An original draft of the elements document was prepared for the 2004 BJA MHCP conference that served as source material for the Guide to Mental Health Court Design and Implementation. There are key differences between Drug Courts, Veterans Treatment Courts and Mental Health Courts. Tables 1 through 3 define the Key Components that provide the foundation for the successful operation of these courts.

**Table 1. Ten Key Components of Drug Court** 

Key Component 1	Drug Courts integrate alcohol and drug treatment services with justice system case processing.
Key Component 2	Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
Key Component 3	Eligible participants are identified early and promptly placed in the Drug Court program.
Key Component 4	Drug Courts provide access to a continuum of alcohol, drug, and related treatment and rehabilitation services.
Key Component 5	Abstinence is monitored by frequent alcohol and illicit drug testing.
Key Component 6	A coordinated strategy governs drug court responses to participants' compliance.
Key Component 7	Ongoing judicial interaction with each Drug Court participant is essential.
Key Component 8	Monitoring and evaluating achievement of program goals is necessary to gauge effectiveness.
Key Component 9	Continuing interdisciplinary education promotes effective Drug Court planning, implementation, and operations.
Key Component 10	Forging partnerships among Drug Courts, public agencies, and community-based organizations generates local support and enhances Drug Court program effectiveness.

**Table 2. Ten Key Components of Veterans Treatment Court** 

Key Component 1	Veterans Treatment Courts integrate alcohol and drug treatment services with justice system case processing.
Key Component 2	Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.
Key Component 3	Eligible participants are identified early and promptly placed in the Veterans Treatment Court program.
Key Component 4	Veterans Treatment Court provide access to a continuum of alcohol, drug, and related treatment and rehabilitation services.
Key Component 5	Abstinence is monitored by frequent alcohol and other drug testing.
Key Component 6	A coordinated strategy governs Veterans Treatment Court responses to participants' compliance.
Key Component 7	Ongoing judicial interaction with each Veteran is essential.
Key Component 8	Monitoring and evaluating measure the achievement of program goals and gauge effectiveness.
Key Component 9	Continuing interdisciplinary education promotes effective Veterans Treatment Court planning, implementation, and operations.
Key Component 10	Forging partnerships among Veterans Treatment Courts, Veterans Administration, public agencies, and community-based organizations generates local support and enhances Veterans Treatment Court effectiveness.

**Table 3. Ten Key Components of Mental Health Court** 

Key Component 1	Planning and Administration  Broad-based group of stakeholders representing criminal justice, mental health, substance abuse treatment, and related systems and the community guides the planning and administration of court.		
	Target Population		
Key Component 2	Eligibility criteria address public safety and consider community's treatment capacity, as well as availability of alternatives to pretrial detention for defendants with mental illnesses. It also assesses relationship between mental illness and defendant's offenses, while allowing individual circumstances to be considered.		
	•		
Key Component 3	Timely Participant Identification and Linkage to Services  Participants are identified, referred, and accepted into mental health courts, then linked to community-based service providers as quickly as possible.		
	Terms of Participation		
	Terms of participation are clear, promote public safety, facilitate defendant's		
Key Component 4	engagement in treatment, individualized to correspond to level of risk that defendant		
	presents to community, and provide for positive legal outcomes for those		
	individuals who successfully complete the program.		
	Informed Choice		
Key Component 5	Defendants understand program requirements before agreeing to participate in mental health court. They are provided legal counsel to inform this decision and		
Key Component 3	subsequent decisions about program involvement. Procedures exist in mental health		
	court to address concerns about a defendant's competency whenever they arise.		
	Treatment Supports and Services		
<b>Key Component 6</b>	Mental health courts connect participants to comprehensive and individualized		
ixey component o	treatment services in community. They strive to use and increase availability of		
	treatment and services that are evidence-based.		
	Confidentiality		
Key Component 7	Health and legal information should be shared so it protects potential participants'		
Key Component /	confidentiality rights as mental health consumers and constitutional rights as defendants. Information gathered as part of participants' court-ordered treatment		
	should be safeguarded in case participants go back to traditional court processing.		
	Court Team		
Key Component 8	Team of criminal justice and mental health staff and treatment providers receives		
Key Component 8	special, ongoing training and helps mental health court participants achieve		
	treatment and criminal justice goals by reviewing and revising court process.		
	Monitoring Adherence to Court Requirements		
<b>Key Component 9</b>	Criminal justice and mental health staff collaboratively monitor participants'		
	adherence to court conditions, offer individualized graduated incentives and		
	sanctions, and modify treatment to promote public safety and participants' recovery.		
	Sustainability  Data are collected and analyzed to demonstrate the impact of mental health court, its		
<b>Key Component 10</b>	performance is assessed periodically, court processes are institutionalized, and		
	support for court in the community is cultivated and expanded.		

## **TEAM MEMBER RULES**

The following are a list of rules for problem-solving court team members:

- Maintain, recognize, respect and value the distinct roles of each individual member of the team. Team members shall maintain a collaborative environment utilizing professional judgment and rendering candid advice on how to best meet treatment goals.
- Information discussed during court staffing meetings and court sessions should be held in confidence. Client sensitive information will be presented confidentially at the bench to minimize exposure in court.
- Participants (i.e., interested parties) shall not be transported in personal vehicles for any reason (except those designated by role).
- Relationships may not be established with any active program participant. Non-program functions\* may not be attended with any active program participant (e.g., family events, birthday parties, etc.). \*Appointments (such as medical, mental health, dental and/or financial) relating to participation in a problem-solving court program shall not apply.
- Display professionalism and courtesy to all participants and fellow team members. Team members shall discourage unprofessional or unethical advances from participants and/or participant family members and should report the same to the problem-solving court team (e.g., receiving gifts, services, etc.).
- Information pertaining to participant non-compliance/program removal only will be shared with other treatment agencies when it is deemed clinically appropriate.

## INCENTIVES AND SANCTIONS

#### **Incentives**

Rewards will be recommended by the problem-solving court team and granted at the judge's discretion to support treatment as positive reinforcement of program accomplishments. These may include but are not limited to:

- Call early on the docket
- Less frequent court hearings
- In court encouragement and recognition
- Travel privileges out of county or out of state
- Community service hours in lieu of court fees
- GED/college courses in lieu of court fees
- Early termination of probation/supervision
- Formal graduation and a certificate/token of completion
- Other incentives the court deems appropriate

#### **Sanctions**

Failure to comply with problem-solving court elements will result in court-ordered sanctions.

These may include but are not limited to:

- Additional community service hours
- Written assignment
- Admonishment from the judge
- Curfew
- No contact orders
- Increased court appearances
- Increased frequency of random drug screens
- Extended probation
- Incarceration
- Reinstatement of criminal proceedings
- Termination from the problem-solving court program
- Other sanctions the court deems appropriate

## **DRUG TESTING**

Problem-solving court participants are expected to be alcohol and drug free. The court monitors compliance with this requirement by frequent, random observed drug tests. Drug testing is essential to the problem-solving court program by providing a framework for accountability to gauge treatment progress. Drug tests confirm abstinence and demonstrate compliance, serving as the foundation for incentives and sanctions along the path to graduation. All participants must follow court-ordered drug testing, which is typically completed at treatment program locations or the Department of Corrections (DOC). If a participant is found noncompliant or positive via drug testing, the court may order confirmation testing.

Table 4 provides a non-exhaustive list of prohibited substances and medications. A drug court specialist should be consulted for further clarification. Aside from illegal drugs and alcohol (in any form), participants are prohibited from using certain prescription drugs and are required to have all prescriptions disclosed prior to purchasing or ingesting.

Any and all "designer drugs" that can be purchased legally or illegally are strictly prohibited. Any and all "smoking mixtures" (other than adult-only products specifically designated to contain only tobacco) are strictly prohibited. Any and all products sold or marketed under false pretenses with the warning "not for human consumption" are strictly prohibited. In addition, using and/or being in possession of any alternative or "replacement" drugs such as Methadone and/or Suboxone, as well as any substance intended to replace an otherwise illegal substance, is strictly prohibited unless prior court approval has been granted.

**Table 4: Examples of Prohibited Substances and Medications** 

Examples of Prohibited Substances and Medication Classifications	Examples of substances and medications prohibited in all Problem-Solving Court Programs
Alcohol (In Any Form)	Alcoholic beverages, all medications containing alcohol (cough syrups/liquid-caps such as Nyquil and Robitussin), energy drinks containing alcohol
Amphetamine	Adderall, Adipost, Benzedrine, Dexedrine, Dexatrim, Didrex, Phentermine (Adipex), Preludin, Ritalin, Speed, Vyvanse, White, all medications containing Pseudoephedrine (Alka-Seltzer Cold, Claritin-D, Comtrex Acute, Contac Cold Maximum, Dayquil/Nyquil, Dristan Maximum, Kolephrin, Maxiflu, Robitussin, Sinarest, Sudafed, Tavist Allergy, Tylenol Cold or Allergy
	<u>Note</u> : There are non-pseudoephedrine "D" versions available in almost all of these
Barbiturate	Allobarbital, Barbital, Butalbital (Fiorinal), Phenobarbital (Luminal)
Benzodiazepine	Alprazolam (Xanax, Niravam), Clonazepam (Clonopin), Chlordiazepoxide (Librium), Diazepam (Valium), Flunirazepam (Rohypnol), Lorazepam (Ativan), Oxaprozin (Daypro), Oxazepam (Serax)
Cocaine	Big C, Crack, Powder, Rock, Snow
Dextromethorphan "DM"	Cold medications such as Alka Seltzer Cold, Coricidin, Dayquil, Dimetapp, Nyquil, Robitussin, Sudafed, Triaminic, Tylenol Cold, Vicks 44.  Note: There are non-dextromethorphan "DM" versions available of almost all of these
Hallucinogens	Dimethyltryptamine (DMT), Ecstasy, Ketamine, LSD, Mushrooms, PCP, Tryptamine
Methamphetamine	Black Beauties, Chalk, Crank, Crystal, Glass, Ice, Meth, Tweak, Uppers
Miscellaneous Substances	Appetite suppressants - most are prohibited - Buprenorphine (Buprenex, Subutex, Suboxone), Caffeine Pills, Meperidine (Demerol), Fentanyl (Actiq, Duragesic), Inhalants, Kratom, Methadone, Propoxyphene (Darvocet, Darvon), Steroids, Soma, Xyrem (GBH), and all synthetic substances (e.g., Spice, K2). <u>Note</u> : This list includes anything labeled "Not for Human Consumption"
Opiate	Codeine (cough meds, Tylenol 3), Heroin, Hydrocodone (Lortab, Loracet, Norco, Vicodin, Vicoprofen), Hydromorphone (Dilaudid), Morphine
Oxycodone	Oxycodone (Oxycontin, Percodan, Percocet, Roxicet, Roxycodone)
THC (Marijuana)	Blunt, Bud, Dope, Grass, Herb, Joint, Mary Jane, Pot, Reefer, Roach, Weed, Edibles, CBD oil, Wax, medical marijuana, and other forms of THC

## FAMILY DEPENDENCY TREATMENT COURT OVERVIEW

The goal of family dependency treatment court (FDTC) is to provide safe, permanent homes to children by helping primary custodians live drug-free and assume full responsibilities of parenthood. This can be accomplished by providing the parents every opportunity to attend substance abuse treatment and become free of substances in order to provide their children with a safe, sober and nurturing home. The program provides effective, evidence-based, interventions and addresses concurrent substance abuse and child maltreatment problems. These practices are essential for permanency planning and decreasing recurrence of maltreatment. The Administrative Office of the Court employs drug court specialists in this division. The family dependency treatment court (FDTC) program information can be found at the following website: <a href="http://www.fljud13.org/CourtPrograms/DrugCourtPrograms/FamilyDependencyTreatmentCourt.">http://www.fljud13.org/CourtPrograms/DrugCourtPrograms/FamilyDependencyTreatmentCourt.</a>

## **TEAM MEMBERS**

The following is a list of the team members for FDTC and related responsibilities. The National Drug Court Institute (NDCI) has identified nine core competencies that provide a foundation for defining participant roles:

- Participate fully as a problem-solving court team member, committing to the program and its mission and goals and work as full partners to ensure their success
- Advocate for effective incentives and sanctions for program compliance or lack thereof
- Knowledgeable of addiction, alcoholism and pharmacology and applies this knowledge in order to respond to compliance in a therapeutically appropriate manner
- Knowledgeable of gender, age, and cultural issues that may impact participant's success
- Initiate planning process by bringing together necessary agencies and stakeholders to evaluate current court processes and procedures
- Become a program advocate by utilizing community leadership role to create interest in and develop support for the program
- Effectively lead the team to develop all the protocols and procedures of the program
- Aware of the impact that substance abuse has on the court system, the lives of the offenders and their families and the community at large
- Contribute to education about efficacy of problem-solving courts

**FDTC Judge:** The focus and direction of the problem-solving court is provided through the effective leadership of the judge. The judge presides over the court proceedings, monitors all areas of the case plan, maintains compliance of evidence based practices within the court all while ensuring the integrity of the court.

**Drug Court Specialists:** Court Administration provides case management and oversight via drug court specialists. Responsibilities include (1) identifying and recruiting participants, (2) evaluating and referring to appropriate treatment program, (3) monitoring compliance in treatment as well as with their dependency court ordered case plan, (4) providing judge with correct and concise information regarding compliance, (5) conducting weekly pre-court staffing's with other

team members to determine appropriate sanctions and incentives, and (6) collaborating with stakeholders in order to identify lines of communication, continuity of care, and effectiveness.

Assistant Attorney General: Represents the Department of Children and Families (and the contracted agency Hillsborough County Sheriff's Child Abuse investigators) and Eckerd Connects (the contracted Child Services provider).

**Regional Counsel/Parent/Caregiver Attorneys:** Represents and counsels participants in all court proceedings. The attorneys always make sure the participants constitutional rights are protected while ensuring the health and wellbeing of their clients.

Child Welfare Case Managers: Eckerd Connects' role includes child abuse prevention, child placement and adoption support, with a focus on strengthening families to help ensure the safety and well-being of vulnerable children. They attend court to provide reports pertaining to the case plan of the family.

**Guardian ad Litem:** Court-appointed special advocates whose job is to serve as the voice of the child – a voice that is separate from the child's family members, foster care providers, attorneys or social workers. The Guardians ad Litem are typically volunteers who advocate for the children they serve.

Treatment Providers: Treatment providers assign dedicated, trained representatives to liaise with the FDTC team. They also provide needed services in a timely manner. The treatment counselors, who may not attend staffing and court sessions on a regular basis, provide reports to drug court specialists pertaining to treatment compliance for participants. They prepare individual treatment plans and provide group and individual therapy sessions based on identified participant needs.

## **ELIGIBILITY CRITERIA**

The following criteria must be met by the eligible parents:

- Must be a new petition
- Must have substance abuse issues identified in the investigative report
- Must have no past history of violent criminal offenses
- Must not be alleged sexual perpetrators
- If there were previous Termination of Parental Rights, the participant must be offered a new case plan
- Must acknowledge need for substance abuse treatment
- Must not have an advanced terminal illness
- Must not have a serious/unstable mental illness or be incompetent
- Must be approved by the FDTC judge
- Must have reunification as a goal

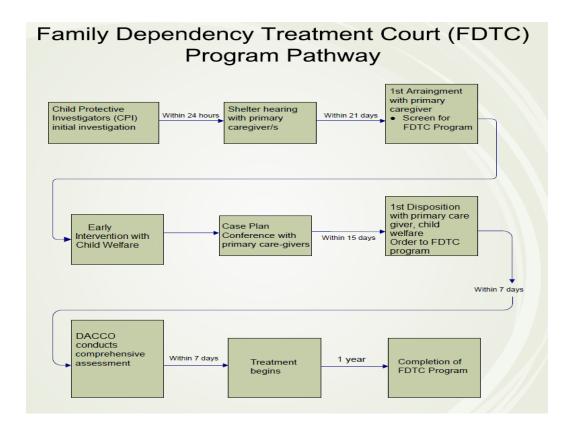
The judge can review the documents in the file, the FDTC agreement, and ask the parents specific questions regarding their use and history. If any case does not meet the eligibility criteria for this division, the judge will direct the clerk to transfer the case to a standard division for case plan review.

## **SCREENING REFERRAL PROCESS**

Drug court specialists meet with potential participants for admission into FDTC and usually accomplished the following ways (the flow chart below depicts typical program pathway):

**Daily Shelters:** Daily shelter packets should be reviewed for possible FDTC cases. If substance abuse is included in the initial petition, the case should be flagged and the arraignment date should be documented on the tracking sheet. A drug court specialist attends shelter hearings in case the parents, attorneys or the judge has any questions regarding FDTC.

**Arraignments and Dispositions:** At the arraignment, the parents can consent to the petition. It is more common for the parents to consent at the disposition hearing. Once the parent consents, the judge can order the parent(s) to FDTC. At this time a completed order and FDTC addendum can be provided for the parents, their attorney's and the judge to read and sign.



## **COURT PHASES**

The Florida Adult Drug Court Best Practice Standards indicate that problem-solving courts have significantly better outcomes when they have a clearly defined phase structure and concrete behavioral requirements for advancement through the phases. The purpose of phase progression is to reward participants for their accomplishments and identify behavior expectations at each phase. Therefore, phase advancement should be predicated on the achievement of clinically important milestones, marking substantial progress towards recovery. Phase advancement should not be based simply on the length of time that participants have been enrolled in the program. Each problem-solving court will subscribe to a phase process listed below. Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities and specific requirements for advancement into the next phase.

Please note that FDTC has not adopted court phases at this time but a subcommittee identified from the oversight committee will be working on this key component in the next year.

## **COURT STAFFINGS**

According to the *Florida Adult Drug Court Best Practice Standards*, court staffings are necessary to review participant progress, develop a plan to improve outcomes, and prepare for status hearings. All participants may not be discussed at each staffing; however, staffings are held frequently enough to ensure the team has an opportunity to consider the needs of each case. Docket size may necessitate the discussion of only non-compliant or difficult cases. By all team members discussing these cases together, a unified plan can be agreed upon before the court docket. Please note that FDTC has implemented court staffings for non-compliance cases in a more informal process. However, a subcommittee identified from the oversight committee will be working on formalizing this key component in the next year.

Consistent team member attendance at staffings is associated with significantly better outcomes. The staffings are presumptively closed and discussions are not transcribed or recorded; the meeting is not open to the public or to participants unless the court determines that a participant may attend to discuss a specific matter. Contested matters must be addressed and resolved in open court. The court team is encouraged to include participants in staffings when clinically indicated or necessary to protect a participant from serious harm resulting from public disclosure of highly sensitive treatment information.

At a minimum, the following data elements are required by all problem-solving court team members to appraise participant progress and compliance or noncompliance with the conditions of drug court:

- Assessment results pertaining to a participant's eligibility for problem-solving court and treatment and supervision needs
- Attendance at scheduled appointments
- Drug and alcohol test results, including efforts to defraud or invalidate said tests
- Attainment of treatment plan goals, such as completion of a required counseling regimen
- Evidence of symptom resolution, such as reductions in drug cravings or withdrawal symptoms
- Evidence of treatment-related attitudinal improvements, such as increased insight or motivation for change
- Attainment of court phase requirements, such as obtaining and maintaining employment or enrolling in an educational program
- Compliance with electronic monitoring, home curfews, travel limitations and geographic or association restrictions
- Adherence to legally prescribed and authorized medically assisted treatments
- Procurement of unauthorized prescriptions for addictive or intoxicating medications
- Commission of or arrests for new offenses
- Menacing, threatening, or disruptive behavior directed at staff members, participants or other persons

## TREATMENT PROGRESS REPORTING PROCEDURE

Drug court specialists will provide a list of participants to treatment counselors in advance of staffing to allow timely progress report preparation. Prior to each staffing, the treatment counselor will prepare and submit a treatment progress report electronically to the drug court specialist on each of their participants who appear on the docket. The progress report shall address at a minimum the following questions:

- 1. What is the participant's attendance status?
- 2. How do you describe the participant's level of participation?
- 3. Describe participant's progress in terms of individual treatment plan goal accomplishments such as "stages of change".
- 4. Describe drug test results including dates of positive or missed UA screens.
- 5. What special issues, if any, does the court need to address?
- 6. What is projected discharge date and aftercare plan?

## **DISCHARGE PROCEDURES**

#### **Successful Discharge**

The FDTC team may recommend participants for graduation when they have met all treatment and case plan requirements, including six-months abstinence post-reunification. The problem-solving court team will meet to consider the merits of the recommendation to graduate and must agree that the participant has sufficiently integrated the necessary information to support long-term recovery. Certificates of Completion or other incentives may be handed out during the final court date. The reunification status is referenced in the discharge summery.

## **Unsuccessful Discharge**

The FDTC team may make a recommendation to the judge that the participant be terminated from FDTC due to the participant's non-compliance with FDTC requirements or conditions. The participant must be informed of the potential termination from FDTC and allowed to have their attorney appear on their behalf when the issue is considered unless the participant has absconded. After full consideration, the judge may enter a termination order or determine the participant should not be terminated from the program. In the case of a participant who has absconded for a period of time, the judge may enter an order of termination and return the case to the referral court for further proceedings.

#### **Administrative Discharge**

If a participant cannot complete drug court, through no fault of his/her own, the participant may be administratively discharged. Examples of reasons for an administrative discharge include: mental illness, medical necessity and death. The judge may enter an order of termination, require the participant to pay all outstanding treatment court fees and return the

case to the referral court for further proceedings.

**Appendix A: Treatment Providers Affiliated with Problem Solving Courts** 

AGENCY	PHONE	SERVICES	REFERRAL PROCESS/CONTACTS
	NUMBER/ADDRESS	PROVIDED	
ACTS	Main: 813-246-4899 Fax: 813-246-5119 4612 N. 56 <sup>th</sup> St., Tampa, FL 33610  Tarpon Springs Main: 727-935-0295 Fax: 727-934-0123 3575 Old Keystone Rd., Tarpon Springs, FL 34689  Juvenile Addictions Receiving Facility Ph: (813) 933-4446	-Outpatient detox -Outpatient -Residential -Drug Screening - Adult detox services - Juvenile detox services - Medication Assisted Treatment - Recovery Support - Aftercare	Contact Ryan Ingram for Medical Records requests, ph. 813-246-4899 f. 813-246-5119, ringram@actsfl.org  -Pamela Troutman-Clinical Director, 813-239-8568 X 439 -Intake Specialist: Tyra Davis, 813-239-8568  -Pinellas Domiciliary Tarpon Springs Clinical Supervisor: Nicole Brenneman nbrenneman@actsfl.org  JARF: Richard Gibbons (813) 933-4446 rgibbons@actsfl.org
	Detox: 813-367-2317 Fax: 813-239-8261		
Baycare Behavioral Health	Outpatient: 2727 W. Dr. Martin Luther King Jr. Blvd Suite 640 Office: (813) 872-7582 Fax: (813) 873-9591	-Outpatient treatment -Residential treatment	Outpatient: 813-428-6181 for Behavioral Health Registration
	Community Recovery Center: 6040 Indiana Avenue New Port Richey, Florida 34653 Phone: 727-841-4475 Fax: 727-841-4478		CRC: Diane Linder 727-841-4475 x 36 Diane.linder@baycare.org
Crisis Center of Tampa Bay	One Crisis Center Plaza Tampa, FL 33613 Main: 813-964-1964 Fax: 813-868-3996	-211 Contact Center/Veterans Support Line -Trauma Therapy -Strengthening Families Program	Veterans Hotline: Mordecai Dixon 813-964-1964 ext 3418, mdixon@crisiscenter.com  Trauma Therapy, fill out referral form in JOIN and fax to 813-868-3996  Strengthening Families: Trina Kucera 813-530-6017, tkucera@crisiscenter.com
DACCO	Main Campus: 4422 E. Columbus Dr. Tampa, FL 33605  Outpatient: 1463 Oakfield Dr. Suite 113 Brandon, FL 33511  Main: 813-384-4000 Fax: 813-612-9373	-Prevention Services -Specialty Services:  • HIV/AIDS • Vocational • Day Care • Acupuncture • Tobacco Cessation • Supportive Housing  -Outpatient/IOP Services -Residential Services -Day Treatment -Supportive Recovery	Contact Assessment & Referrals Debra Thomas Program Manager Assessment and Referral Office: 813-384-4115 Cell: 813-254-2771 Fax: 813-740-0823 debrat@dacco.org

AGENCY	PHONE	SERVICES	REFERRAL PROCESS/CONTACTS
	NUMBER/ADDRESS	PROVIDED	
Florida Center/Avon Park	100 W. College Dr. Avon Park, FL 3858 Ph: (863) 452-3858 Fax:(813) 452-3863	Residential co-occurring mental health and substance abuse treatment	Twila Titus 863-452-3858 x 150 ttitus@TCHSonline.org
Gracepoint	Main Campus: 2212 E. Henry Ave. Tampa, FL 33610		Gracepointwellness.org
MacDill AFB	Main: 813-272-2882		Mental Health Clinic Main: 813-827-9170 Fax:813-828-6868 SOCOM Clinic Main: 813-827-9870 Fax:813-828-4436
Operation Par	Administration: 6655 66 <sup>th</sup> Street North Pinellas Park, 33781 Ph: 727-545-7564 Fax: 727-545-7584  Outpatient: 13800 66 <sup>th</sup> St. North Largo, Florida 33774  PAR Academy 6720 54 <sup>th</sup> Ave. N	Residential services Outpatient: services Juvenile residential services Medication Assisted treatment Detoxification	Call Access Center at:1-888-727-6398
Phoenix House	St. Petersburg, Florida 33709 Residential: 15681 US HWY 301 Citra, FL 32113 Ph: 352-595-50000  Outpatient: 510 Vonderburg Dr. Suite #301 Brandon, FL 33511 Ph: (813) 881-1000	Residential Services Outpatient Services	Call 813-881-1000 x 1 for Welcome Center
Salvation Army	Tampa Adult Rehabilitation Center 13815 Salvation Army Ln.  Ph: 813-972-0471 Fax: 813-971-0792	Residential treatment services for males	Intake Coordinator: Todd Quick Todd.quick@uss.salvationarmy.org 813-972-0471 x 59074
Tampa Crossroads	Administration and Non-Residential: 5109 N. Nebraska Ave. Tampa, FL 33603 Ph: 813-238-8557 x 200  Residential: 202 W. Columbus Dr. Tampa, FL 33602 Ph: 813-238-8557 x 400	-Residential treatment for women -Intensive outpatient and outpatient treatment -Transitional Housing - Permanent Housing -Housing resources for Veterans -Job development and coaching	Residential: 813-238-8557 x 400 Non-Residential: 813-238-8557 x 200 Veterans: 813-238-8557 x 300  Clinical Director, Gwen Green ggreen@tampacrossroads.com 813-238-8557 x 202

AGENCY	PHONE	SERVICES	REFERRAL PROCESS/CONTACTS
	NUMBER/ADDRESS	PROVIDED	
VA: James A. Haley SUDS program	10770 N. 46th Street, Suite E-160, Tampa, FL 33617 (813) 631-7123	- Intensive Outpatient - Standard Outpatient - Referral to Choice	Walk-in SUDS evaluations are available daily at 8 am.With any questions or concerns please contact VJO Erika Lucas or VJO Tito Williams Tito Williams 813-442-9355 <u>Tito.williams@va.gov</u> Erika Lucas 813-450-7219 Erika.lucas@va.gov
Westcare	(727) 502-0188 1735 Dr. M.L.K. Jr. Street S. St. Petersburg, FL	- Residential treatment for women and men Non-secure (short-term) 7 to 8 months Secure (long-term) 13 to 18 months	Veronica Almy Wright Phone (727) 502-0188 x237 Fax (727) 802-0805 Email veronica.wright@westcare.com
	8800 49 <sup>th</sup> St. N., Suite 403 Pinellas Park, FL 33782 Ph: (727) 490-6762 Fax: (727) 541-3993	- Outpatient	Elizabeth Darby Elizabeth.darby@westcare.com
	1801 5 <sup>th</sup> Ave. N St. Pete FL 33713 Ph: (727) 823-7811 Fax: (727) 823-7717 Intake office EXT 221 or 233	-A Turning Point	Katrina Tucker Katrina.tucker@westcare.com
	1735 Dr. MLK Jr. St. S. St. Pete 33705 (727) 502-0188 Fax: (727) 502-9380 Intake EXT: 243	-Mustard Seed	Angela Drayton <u>Angela.drayton@westcare.com</u>
	2510 Central Ave St. Pete FL 33712 Ph: (727) 490-6769 Fax: (727) 321-7968 PTT Program Cell phone: (727) 560-8649	Mustard Seed Veterans community Living	Angela Drayton <u>Angela.drayton@westcare.com</u>

#### **Appendix B: Adult Post-Adjudication Drug Court Administrative Order**

# IN THE THIRTEENTH JUDICIAL CIRCUIT HILLSBOROUGH COUNTY, FLORIDA

ADMINISTRATIVE ORDER S-2017-045 (Supersedes Administrative Order S-2017-031)

#### JUVENILE DEPENDENCY DIVISION

Administrative Order S-2017-044 abolishes Juvenile Dependency Division "B" effective July 31, 2017. In light of this change to the Juvenile Dependency Division, it is necessary for the proper and efficient administration of justice to update the provisions governing assignment of juvenile dependency cases.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is ORDERED:

#### 1. Divisions

Juvenile dependency matters will be administered by seven judicial divisions. The judicial divisions are designated as Division "C," Division "D," Division "I" (Independent Living Transition Services), Division "J" (Dependency Drug Court), Division "M" (Dependency Crossover), Division "S" and Division "V" (Dependency Specialty).

#### 2. Assignment of Cases

Upon the filing of a shelter petition, the Clerk of the Circuit Court (clerk) will designate a case number and assign the petition using a random equitable assignment system to Division "C," "D" or "S." The clerk will assign all subsequently-filed petitions, except petitions involving a minor seeking special immigrant status, to the division to which the shelter petition was assigned. If an initial shelter petition was not filed, the clerk will assign all other new petitions (dependency, child abuse injunctions, and termination of parental rights), except petitions involving a minor seeking special immigrant status, using a random equitable assignment system to Division "C," "D" or "S."

#### 3. Shelter Hearings

For purposes of this provision, the term "dependency judge" means any judge assigned to the Juvenile Dependency Division or a judge or senior judge who has previously presided over dependency proceedings.

Regardless of the division assignment, all shelter petitions will be considered at a shelter hearing conducted by a dependency judge each non-holiday weekday at 1:30 p.m. The dependency judges presiding in Divisions "C," "D," "J," "M," "S," and "V" will preside over shelter hearings on a weekly rotating basis. Judges presiding in other subject matter divisions who have previously presided over dependency proceedings may offer assistance in the shelter hearing rotation schedule. The associate administrative judge of the Juvenile Dependency Division will maintain the schedule of judges presiding over weekly shelter dockets.

The clerk will assign an arraignment date at the shelter hearing. All parties present at the shelter hearing will be informed of the arraignment date assigned to their case.

The court will advise any parent of the right to have counsel present and appoint registry counsel to indigent parents unless intelligently waived. Courtappointed attorneys will be assigned to cover shelter hearings on a weekly basis. The associate administrative judge of the Juvenile Dependency Division will maintain a list of court-appointed attorneys eligible for appointment and the weekly schedule of assignments.

#### 4. <u>Dependency Petitions Involving a Minor Seeking Special</u> Immigrant Status

Petitions for dependency involving a minor seeking special immigrant status will be assigned to Dependency Specialty Division "V." To assist the clerk in identifying such petitions the party filing the petition must title the petition "Petition for Dependency Involving Minor Seeking Special Immigrant Status."

#### 5. Petitions for Child Abuse Injunctions

If the dependency judge issues a temporary injunction, the return hearing will be scheduled by the clerk in Family Law Division "G" or "H" based on a random equitable basis. If a motion to modify or dissolve a final injunction is filed, the motion will be heard in the division in which the return hearing was conducted.

#### 6. Termination of Parental Rights Petitions

The judges presiding in Divisions "C," "D" and "S" will coordinate with the judges presiding in Juvenile Crossover Division "M" and Juvenile Dependency Specialty Division "V" regarding adjudicatory and post-disposition hearings in termination of parental rights cases.

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#### 7. Reactivation of Protective Services

If a motion is filed to reactivate protective services supervision on a closed case or if a new shelter, dependency, or termination of parental rights petition is filed concerning a new child born into a family with an already existing case, the motion or petition will be assigned to the division in which the corresponding case was last pending or is currently pending. If the Office of the Attorney General, Division of Children's Legal Services (CLS) or Guardian Ad Litem Program (GAL) files such a motion or petition, the CLS or GAL will include the appropriate division designation on the first page of the motion or petition. If the clerk discovers any inaccuracy in the division designation on the motion or petition, the clerk will rectify such inaccuracy so that the motion or petition is filed in the appropriate division. If any other person files such a motion or petition, the clerk will file the motion or petition and immediately consult with the associate administrative judge for determination of the appropriate division assignment.

#### 8. Juvenile Divisions "M" and "V"

The presiding judges in Divisions "M" and "V" are responsible for providing equitable backup relief to the Juvenile Dependency Division. Backup responsibilities include, but are not limited to: handling all dependency related petitions under chapters 984 (CINS/FINS), Florida Statutes; presiding over adjudicatory, disposition and post-disposition hearings in dependency cases; presiding over adjudicatory and post-disposition hearings in termination of parental rights cases; covering any juvenile dependency division's docket matters when the regularly assigned judge is unavailable and handling any other matters that might appear on a juvenile dependency division's calendar. Prior to transferring any matter from Division "C," "D," or "S" to Division "M" or "V" in accordance with this provision, the affected presiding judges must consult with each other. A case may be transferred to Division "M" or "V" only by an Order of Transfer issued by the presiding judge of Division "M" or "V."

#### 9. Dependency Drug Court Division "J"

For purposes of this provision, the term "drug court model" means a case management system for parents, guardians and any other person seeking custody of a child in which court supervised drug treatment is used in promoting substantial compliance with a case plan. The treatment may include, but is not limited to, varying levels of drug treatment enforced by the court through its contempt powers or implementation of sanctions or both. The drug court model applies a protocol which utilizes case managers, substance abuse evaluators and treatment modalities to aid the court in fashioning appropriate substance abuse treatment and utilizing frequent case reviews as needed.

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At shelter hearings, in accordance with established eligibility criteria, substance abuse evaluators will identify and notify the presiding judge of any case in which the drug court model may be appropriate. If the substance abuse evaluator has identified a case in which the drug court model may be appropriate, at any time after the disposition hearing, the presiding judge in Division "C," "D," "M," "S" or "V" may transfer that case to Dependency Drug Court Division "J" for court supervision under the drug court model.

#### 10. General Magistrates

Nancy Neaves and Tracy L. Ellis are appointed as general magistrates and serve under the direction of the associate administrative judge of the Juvenile Dependency Division. The general magistrates may hear any juvenile dependency case referred for the purpose of judicial review or any other related matter authorized by the Florida Rules of Juvenile Procedure.

Upon the filing of any juvenile dependency matter that may be referred to a general magistrate, any party may submit to the judge assigned to the case a proposed Order of Referral to the General Magistrate. Any objection to a referral must be in writing and filed within 10 days of the date of service of the signed order of referral. If an objection is filed, the case will remain with the judge.

When a matter is referred to the general magistrate, the matter referred will be set for hearing on a specific date and at a specific time before the general magistrate. The general magistrate will proceed with the hearing and the preparation and filing of reports in the manner set out in Florida Rule of Juvenile Procedure 8.257.

#### 11. Reassignment of Case upon Judge's Disqualification

If a judge in Juvenile Dependency Division "C," "D," or "S" enters an order of disqualification, the clerk will reassign the case randomly and equitably to one of the other two standard divisions in the Juvenile Dependency Division. If all three judges in Juvenile Dependency Division "C," "D," and "S" enter orders of disqualification, the clerk will randomly and equitably reassign the case to Juvenile Crossover Division "M" or Juvenile Dependency Specialty Division "V."

If the presiding judge in Juvenile Crossover Division "M" enters an order of disqualification, the clerk will reassign the case to Juvenile Dependency Specialty Division "V." If the presiding judge in Juvenile Dependency Specialty Division "V" enters an order of disqualification, the clerk will reassign the case to Juvenile

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Crossover Division "M." If both presiding judges in Divisions "M" and "V" enter orders of disqualification, the clerk will reassign the case to a standard division in accordance with the above paragraph.

If all of the judges in Juvenile Dependency Division "C," "D," "S," "M" and "V" enter orders of disqualification, the clerk will transfer the case to a deputy clerk assigned to the Family Law Division for random reassignment to one of the divisions in the Family Law Division.

If the presiding judge in Dependency Drug Court Division "J" enters an order of disqualification, the clerk will reassign the case to the Dependency Division from which the case was originally transferred to Division "J."

If the presiding judge in Independent Living Transition Services Division "I" enters an order of disqualification, the clerk will reassign the case to the Dependency Division from which the case was originally transferred to Division "I."

## 12. Motions, Petitions and Other Documents

#### A. Scheduling

#### Attorneys

Attorneys may obtain available hearing times and schedule hearings on a judge's calendar by accessing the Judicial Automated Workflow System (JAWS) at: <a href="https://jaws.fljud13.org/System/login.aspx">https://jaws.fljud13.org/System/login.aspx</a> or by telephoning the judge's judicial assistant.

#### ii. Self-Represent Litigants

After any self-represented litigant files a motion with the clerk, a representative of the Dependency Case Management Unit will contact the self-represented litigant for scheduling of the matter on the assigned judge's calendar or other necessary action. Self-represented litigants may obtain a form motion at: http://www.fljud13.org/Portals/0/Forms/pdfs/fiu/dependency\_pkt.pdf.

#### B. Form

Every motion, petition or other document must have the name of the court, uniform case number, and division letter for the child or children, and must be styled in accordance with Florida Rule of Juvenile Procedure 8.220.

#### C. Notices of Hearing

Every notice of hearing must state the length of time reserved on the judge's

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calendar for the hearing and specify which matters are to be heard. Notices of hearing specifying that the hearing is on "all pending motions" will not be accepted for filing. There will be no cross-noticing on hearing time unless the opposing counsel or party contacts the judge's judicial assistant and determines if the docket will accommodate hearing additional matters at the same time.

#### 13. Orders and Judgments

#### Consultation with Opposing Counsel or Party

Unless the presiding judge directs otherwise, prior to submitting a proposed order for the court's consideration after a hearing, the attorney or self-represented litigant submitting the proposed order must consult with opposing counsel or the opposing self-represented litigant within five days after the court's decision and make a genuine effort to agree on the language of the proposed order.

#### B. Objections

If, after consultation with opposing counsel or the opposing self-represented litigant, the parties cannot agree on the language in the proposed order or judgment to be submitted to the court, then the attorney or self-represented litigant submitting the proposed order or judgment must document in a cover letter that the opposing party or counsel has registered an objection and specifically state what the objection is. At the time the cover letter and proposed order or judgment is submitted to the court, a copy must simultaneously be sent to all parties or their attorneys. If an objection is registered, the court will determine if a hearing is necessary to resolve the dispute.

#### C. Timely Submission

All proposed orders or judgments will be submitted to the court by the attorney or self-represented litigant directed to prepare the order within 10 days of the court's decision. If the designated attorney or self-represented litigant fails to timely submit a proposed order or judgment, the attorney for the opposing party or the opposing self-represented litigant may submit a proposed order or judgment within 5 days after the initial ten-day period.

# D. <u>Submission of Proposed Orders and Judgments</u> i, JAWS – All Parties Represented by Counsel

Unless the presiding judge directs otherwise, if all parties are represented by attorneys, none of whom have been excused from e-mail service under Florida Rule of Judicial Administration 2.516, an attorney who is requested to submit a proposed order or judgment will do so through the JAWS. Attorneys must comply with the presiding judge's formatting preference (Microsoft Word v. PDF) posted

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on the presiding judge's webpage when submitting a proposed order or judgment through the JAWS. If the presiding judge has not posted a preference, a proposed order or judgment should be submitted through JAWS in PDF.

Prior to the submission of a proposed order or judgment to the presiding judge through the JAWS, the submitting attorney will be required to certify that one of the following statements is true: (i) all parties have agreed to the content of the proposed order or judgment; (ii) an included cover letter documents the specific objection(s) to the proposed order or judgment; or (iii) opposing counsel has not responded within five business days of being provided the proposed order or judgment.

### ii. <u>Hard Copies and Envelopes – Self-Represented Party or</u> Party's Attorney Excused from E-Service

If any party is self-represented or represented by an attorney who has been excused from e-mail service by the court under Rule 2.516, the party or attorney who is requested to submit a proposed order or judgment will do so by submitting to the presiding judge sufficient hard copies of the proposed order or judgment along with stamped, addressed envelopes.

#### E. Title

All proposed orders and judgments submitted to the judges must contain, in the title of the order, the exact nature of the court's ruling and must fairly apprise the reader of the action being ordered. Phrasing such as "order granting..." or "order denying..." is preferred over "order on..."

#### F. Form

No proposed order or judgment will be submitted to a judge unless the order contains in the body of the order a reference to the date(s) of the hearing during which the subject matter of the order or judgment was argued before the court and the names of the parties and counsel present. Every proposed order and judgment must also contain the name of the court, uniform case number, and division letter for the child or children, and be styled in accordance with Florida Rule of Juvenile Procedure 8.220. Any submission of a proposed order or judgment by an attorney will be considered a representation that the attorney has read it and that it is submitted in good faith in accordance with the findings and decision of the court.

#### 14. Cancellation of Hearings

No hearing may be canceled without the consent of all parties, approval of the court, and notice to the clerk.

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#### 15. Continuances

In accordance with Florida Rule of Juvenile Procedure 8.255(f), the court may grant a continuance for good cause shown, as permitted by law. See § 39.0136, Fla. Stat. Counsel seeking a continuance will file an appropriate motion and notice of hearing and will be present for hearing on the motion. All motions for continuance will explain what effect the motion will have on the progress of the case. See Fla. R. Jud. Admin. 2.545(e). No hearing or other proceeding will be continued upon stipulation of eounsel alone. All motions for continuance of a hearing will be filed and heard prior to the scheduled hearing date.

Failure to complete discovery will not constitute cause for a continuance unless such failure is brought to the attention of the court at least five working days in advance of any scheduled hearing date and the failure is not the result of lack of diligence in pursuing such discovery. Except for good cause shown, no continuance will be granted because a witness has not been served with a subpoena, unless the moving party has attempted service at least five working days before the return date.

#### 16. Emergency Matters

All judges will be available to handle emergency matters arising in their respective divisions unless arrangements have been made with another judge to substitute during any absence. The associate administrative judge of the Juvenile Dependency Division will handle emergency matters if the assigned or substitute judge is not available.

#### 17. Professional Conduct and Courtroom Decorum

Counsel must also adhere to The Florida Bar's Guidelines for Professional Conduct (<a href="http://www.floridabar.org">http://www.floridabar.org</a>), The Florida Bar's Professionalism Expectations (<a href="http://www.floridabar.org">http://www.floridabar.org</a>), and the Hillsborough County Bar Association's Standards of Professional Courtesy (<a href="http://www.hillsbar.com">http://www.hillsbar.com</a>). Each judge may announce and enforce additional requirements, or may excuse compliance with any provision(s) of the Guidelines, Expectations, or Standards as that judge deems appropriate.

#### 18. Attorneys' Obligation to Notify Court of Other Proceedings

Counsel are obligated to notify the court, as soon as it becomes known to counsel, of the existence of any other court proceeding in the Thirteenth Judicial Circuit or any other jurisdiction that may be relevant to the subject matter before the court affecting the custody, visitation, or support of a child.

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#### 19. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2017-031 (*Juvenile Dependency Division*).

#### 20. Effective Date

This administrative order is effective July 1, 2017. All provisions in this administrative order apply to Juvenile Dependency Division "B" from July 1, 2017 until its abolition on July 31, 2017, except that the clerk will not assign or reassign any case into Division "B" during this period.

ENTERED in Tampa, Hillsborough County, Florida on June 30, 2017.

Ronald N. Ficarrotta, Chief Judge

Attachments: Oaths of General Magistrates

Original to: Pat Frank, Clerk of the Circuit Court

Copy to: All Juvenile Dependency Judges and General Magistrates

Gina Justice, Trial Court Administrator

Mike Carroll, Department of Children & Families

Liza Ricci, Guardian ad Litem Program

Hillary Shaughnessy, Eckerd Youth Alternatives

Stephanie Bergen, Office of the Attorney General, Children's Legal

Services

Marisa Gonzalez, Regional Counsel's Office

Heather Grates, Hillsborough County Sheriff's Office

Martha Kempgens, Case Management Unit

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#### OATH OF TRACY ELLIS - GENERAL MAGISTRATE

#### STATE OF FLORIDA COUNTY OF HILLSBOROUGH

I do solemnly swear (or affirm):

That I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida;

That I am duly qualified to hold office under the Constitution of the state; and

That I will well and faithfully perform the duties of General Magistrate on which I am now about to enter.

So help me God.

Signature

The foregoing instrument was sworn to and subscribed before me this 17th day of November, 2008, by Tracy Ellis who is personally known to me and who did take an oath.

Janice Albury My Commission DD759567 Expires 03/18/2012

Name of Wheta Whed, Printed or Stamped

Tille Program Cood.

#### OATH OF NANCY J. NEAVES - GENERAL MAGISTRATE

#### STATE OF FLORIDA COUNTY OF HILLSBOROUGH

I do solemnly swear (or affirm):

That I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida;

That I am duly qualified to hold office under the Constitution of the state; and

That I will well and faithfully perform the duties of General Magistrate on which I am now about to enter.

So help me God.

Tay reave

Signature and Seal of Official Administering Oath

Manuel Menendez, Jr.
Name of Official Typed, Printed or Stamped

Chief Judge Title

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