

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 25-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 25-02**

**IN RE: CHANGE IN NOMENCLATURE
AND PROTOCOLS FOR REFERRAL,
ASSESSMENT, INTAKE AND
TRANSFER OF CASES TO THE
DEPENDENCY TREATMENT COURT
IN THE UNIFIED CHILDREN'S COURT
DIVISION OF THE ELEVENTH
JUDICIAL CIRCUIT OF FLORIDA**

WHEREAS, Rule 2.215 of the Florida Rules of General Practice and Judicial Administration grants the Chief Judge the authority to adopt administrative orders necessary to ensure the efficient operation of the court system; and

WHEREAS, the Eleventh Judicial Circuit of Florida's Dependency Drug Court (DDC) has been in operation since 1999 in accordance with protocols consistent with Chapter 39, Florida Statutes, which provide for the well-being, safety, and permanency of children of substance abusing parents; and

WHEREAS, in carrying out these protocols, DDC ensures that parent participants and children receive intensive services, increased family-time visitation, and more frequent court hearings, which research has shown leads to participants in DDC having better outcomes than comparable families in traditional dependency court. This strength-based approach provides the tools necessary for success in recovery and achieving long-term family reunification. Additionally, this results in a lesser number of days for children in out-of-home care, lower rates of termination of parental rights, and lower rates of re-abuse (re-entry into foster care following reunification); and

WHEREAS, statewide and national nomenclature of Dependency Drug Courts have evolved to utilize terminology focusing on treatment, which is core to the foundation and principles of this problem-solving court model, and the Eleventh Judicial Circuit's practices are consistent with staying current with evolving best practices.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215 of the Florida Rules of General Practice and Judicial Administration, it is hereby **ORDERED**:

1. Change in Nomenclature. Consistent with statewide and national nomenclature, the Eleventh Judicial Circuit's Dependency Drug Court (DDC) shall hereby be referred to as the Eleventh Judicial Circuit's Dependency Treatment Court (DTC).

2. Protocol for Referral. The following protocol shall be hereby established for identification and referral of dependency cases in the Unified Children's Court (UCC) Division to Dependency Treatment Court (DTC), using the following enumerated Eligibility and Exclusionary Criteria:

a. Eligibility Criteria

1. The case shall have an adjudication of dependency.
2. The goal of the case plan must be reunification.
3. Parent participant must have a substance use disorder.
4. Parent participant must be a resident of Miami-Dade County.
5. Parent participant must be 18 years of age or older.
6. Parent participant must voluntarily, knowingly, and upon the advice of counsel agree to enter and participate in DTC.
7. Parent participant must have the ability to fully participate in DTC and meet all requirements.
8. Parent participant must be referred and accepted no later than three months from the date on which the Shelter petition was filed.

b. Exclusionary Criteria

1. Case is beyond the three-month referral and acceptance deadline.
Exception: If parent participant is enrolled and engaged in treatment services, DTC may extend to a four-month referral and acceptance time period.
2. The parent being referred has a persistent and severe mental health diagnosis.
3. The parent being referred is a perpetrator of sexual abuse.
4. The parent being referred is a perpetrator of felony child abuse.
5. The parent being referred has successfully completed DTC within the last 12 months.
Exception: If at the time of re-assessment there are factors present which were not addressed during the prior admission, DTC will staff the case and determine eligibility.

3. Protocol for Assessment, Intake and Transfer to DTC

- a. Upon identifying a dependency case meeting the aforementioned eligibility criteria, the presiding Unified Children's Court (UCC) Judge shall offer the DTC option to the parent and explain that DTC is a voluntary treatment court which offers wraparound, supportive services to parents with allegations of alcohol and/or drug use who are seeking reunification with their child(ren).
- b. If the parent agrees to voluntarily participate in the DTC option, the following protocol shall be followed:
 1. The presiding UCC Judge shall refer the case to DTC and contact DTC staff in open court to alert them of the referral, as well as set the next hearing date in the case before the presiding UCC Judge for a DTC Review Hearing.
 2. A representative of DTC shall make contact with and meet with the parent participant to explain the DTC process.
 3. The DTC representative shall coordinate an appointment with the parent participant to conduct an eligibility assessment and intake. The assessment shall be conducted either on the date of the referral or within six days from the determination of initial eligibility.
 4. The assessment and intake shall include the following:
 - i. Upon referral, identification, eligibility confirmation and approval by the presiding UCC Judge, the DTC Program Coordinator or designee shall perform the intake, clinical screening, and assessment for the parent participant.
 - ii. The intake shall consist of an overview of DTC's components, completion of the Program Participant File Information Sheet, and an assessment of the parent participant's mental status, suicide and homicide risk, and treatment motivation determination.
 - iii. If the parent is ineligible for DTC, a DTC representative shall provide a written report and recommendations to the presiding UCC Judge regarding the parent's ineligibility for DTC.
 - iv. If the parent participant is eligible for DTC and agrees to willfully consent to participate, a DTC staffing has occurred, and counsel for the parent is in agreement, the following shall occur:
 - a. The parent participant shall review and sign, together with and in consultation with counsel, all requisite DTC paperwork prior to the

first hearing taking place before the DTC Judge, to include the Authorization for Release and Disclosure of Confidential Information, Agreement to Participate in DTC, and Acknowledgment of DTC Procedures.

- b. The DTC Specialist shall advise the presiding UCC Judge at the DTC Review Hearing of the parent's willful consent to participate, and counsel for the parent shall confirm the same is true and accurate.
- c. The Clerk of Court shall prepare the Transfer Order to DTC for the presiding UCC Judge's signature.
- d. The Clerk of Court shall cancel all previously scheduled hearings before the presiding UCC Judge and reset the next and all future hearings and relevant court dates, including all statutorily mandated hearings, before the DTC Judge.
- e. The DTC Program Coordinator shall assign the parent participant's case to a DDC Specialist.
- f. The assigned DTC Specialist shall attend all future court hearings set involving the parent participant and provide status reports with respect to compliance and progress through case disposition.
- v. Upon the transfer of the case into DTC, the presiding UCC Judge's judicial section will be automatically positioned in succession by the court case management system to receive another blind filed dependency case.
- vi. All DTC parent participants shall be responsible for compliance with the terms and conditions as set forth in the signed DTC Agreement and Participate and Acknowledgment of Procedures forms, as otherwise ordered by the Court, and as set forth in Chapter 39, Florida Statutes.

This Administrative Order shall be effective immediately upon signing and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 16th day of June 2025.

**NUSHIN G. SAYFIE, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**