

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

IN RE: TWENTIETH JUDICIAL CIRCUIT
CERTIFIED THERAPY DOG PROGRAM
FOR DEPENDENCY CASES

ADMINISTRATIVE ORDER
NO. 12.7

WHEREAS, section 92.55(5), Florida Statutes, authorizes the Court to establish conditions it finds just and appropriate when taking the testimony of a child victim or child witness, including the use of a service or therapy animal that has been evaluated and registered according to national standards, in any proceeding involving a sexual offense; and

WHEREAS, the use of therapy dogs to assist the child victim or child witness may be appropriate in other traumatic proceedings, including dependency and Termination of Parental Right proceedings; and

WHEREAS, it is beneficial to provide specific guidelines for the presence and conduct of therapy dog teams in the courthouses of the Twentieth Judicial Circuit;

NOW, THEREFORE, in accordance with the authority vested in the Chief Judge pursuant to Fla. R. Jud. Admin. 2.215, it is ordered as follows:

1. The use of therapy dog teams, consisting of a registered therapy dog and handler, is authorized within the Courts of the Twentieth Judicial Circuit for the benefit of children in dependency and Termination of Parental Right proceedings, though not mandated. The use of therapy dog teams in such proceedings is at the discretion and preference of the presiding judge or magistrate.

2. If the Florida Department of Children and Families, the Guardian Ad Litem, or counsel determine that the presence and use of a therapy dog may aid in the testimony of a child in court or otherwise before a judge, that agency or counsel may contact a court-approved therapy dog provider to determine the availability of a therapy dog team. Court-approved therapy dog providers shall be posted on the website of the Administrative Office of the Courts

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of the Twentieth Judicial Circuit ("AOC") at www.ca.cjis20.org.

3. The use of a therapy dog team provided by a court-approved therapy dog provider is only permitted upon prior approval of the presiding trial judge or magistrate. The presiding judge or magistrate may establish procedures for requesting and utilizing therapy dog teams as may be appropriate and applicable.

4. Unless the presiding judge or magistrate finds otherwise or establishes alternative procedures, the agency or counsel seeking the use of the therapy dog team is responsible for facilitating all communication with the therapy dog provider and handler regarding dates and times and locations of court events at which the use of the therapy dog team has been approved, including informing the therapy dog provider and handler of any changes in dates or times or locations of scheduled court events.

5. Therapy dog teams provided by a court-approved therapy dog provider are permitted on the grounds and inside the courthouses of the Twentieth Judicial Circuit if present for a court event approved by the presiding judge or magistrate. However, under no circumstances shall a therapy dog team, which includes the therapy dog and the handler, be alone in the presence of a child. The therapy dog team shall only be in the presence of the child if the presiding judge or magistrate is present, or if a neutral representative is present such as a Guardian ad Litem or counsel for the Guardian ad Litem program. Due to the role of the Court and the role of the therapy dog team as a support mechanism for children, the presiding judge, magistrate, and court staff, cannot actively interact with the therapy dog beyond that which may be necessary

6. Approved therapy dog providers shall:

- a. Ensure that all therapy dog teams have completed any and all therapy training and have passed a nationally recognized skills and aptitude test and evaluation by an organization that certifies the team as qualified to provide animal assisted therapy.
- b. Ensure that all therapy dog teams adhere to all policies of their individual certifying organizations and remain current on all certifications.

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- c. Ensure that all therapy dogs have been examined by a Florida veterinarian who is able to attest to the dog's good health within the past year, and ensure that all immunizations, including rabies vaccinations, are current and remain current.
- d. Ensure that all therapy dogs are properly registered and licensed in the State of Florida and the applicable county.
- e. Carry a minimum of one million dollars (\$1,000,000.00) in liability insurance with coverage for all claims for injury, illness, and property damage resulting from therapeutic services offered by the therapeutic dog provider, and a rider naming the Administrative Office of the Courts and applicable county as an insured for coverage purposes.
- f. Provide a copy of the liability insurance declaration sheet and rider, and proof of annual renewals, to the Administrative Office of the Courts.
- g. Ensure that all handlers are trained and responsible for maintaining dogs on an appropriate leash at all times with the handler in full control of the dog and leash.
- h. Ensure that all handlers are trained and responsible for refraining from any and all overt displays of emotion and from any unsupervised interaction with the children.
- i. Ensure that all handlers adhere to their certifying organization's policies regarding grooming and zoonotic disease/parasite control.
- j. Ensure that all handlers are trained and responsible for inquiring if there are any known allergies or concerns prior to entering an enclosed space, including elevators.
- k. Ensure that all handlers are trained and responsible for arriving early enough to exercise the dog to avoid any elimination issues. All dogs must be trained to not eliminate inside of buildings. All handlers must have available appropriate supplies to clean and sanitize, as may be appropriate, any elimination that may occur in the building or outside on the grounds, using proper disposal and odor control methods.
- l. Ensure that any incidents are immediately verbally reported to the Presiding Judge and the AOC, and that an incident report form is promptly submitted to the AOC as soon as possible, but no later than the next business day. Reportable incidents include, but are not limited to: injuries to a person or animal; situations with a high potential that an injury could have occurred either to a person or animal, even though no one was hurt at the time; situations with a perception of an accident or injury, and damages to property, including elimination by a dog in the courthouse facility. A copy of the incident report form is available on the AOC's website at www.ca.cjis20.org.

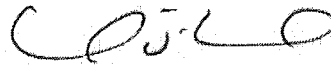
- m. Ensure that all handlers have signed a release for the purpose of conducting a background check. The information contained in any FCIC/NCIC report and specific findings are confidential and are to be used in compliance with all state and federal laws and regulations. The decision as to whether to allow a handler access to the courthouse facility for the purpose of providing therapy dog services is within the sole discretion of the AOC.
- n. Ensure that all handlers immediately report to the therapy dog provider and the AOC any incident that may change the status of their background check, including but not limited to any arrest, conviction or other incident involving law enforcement.
- o. Ensure that all handlers are trained and responsible for maintaining the confidentiality of all information including, but not limited to, information pertaining to the individuals testifying and their families, whether written or verbal, received through the scope of interaction with the individual testifying. All handlers must sign an oath of confidentiality, a copy of which is available on the AOC's website at www.ca.cjis20.org.
- p. Ensure that all handlers are trained and responsible for reporting and avoiding any potential conflict of interest and for immediately disclosing to the presiding judge or magistrate any personal knowledge or relationship to the parties, children, or other witnesses, or has any independent interest or personal knowledge of facts related to a case.
- q. Ensure that all handlers have received, acknowledged and endorsed an Acknowledgment of Terms and Conditions Sheet, a copy of which is available on the AOC's website at www.ca.cjis20.org.
- r. Ensure that all handlers carry their certifying organizations identification card or other documentation demonstrating certification, and their identification card or other documentation demonstrating their association with the approved therapy dog provider. All handlers shall produce any identification card or other documentation upon request by any court official. In addition, all therapy dogs shall be identified by wearing a dog therapy vest or other identifying garment.

7. All approved therapy dog providers and their contact information shall be listed on the AOC's website at www.ca.cjis20.org. Any organization seeking approval to be added to the list of approved therapy dog providers may submit to the AOC a written request and proposal. The Chief Judge shall determine, in his or her discretion, whether an organization qualifies and is approved as a therapy dog provider for the Twentieth Judicial Circuit.

8. To the extent that any provision of this Administrative Order may be construed as being in conflict with any law, statute, or rule, the law, statute, or rule shall prevail.

9. This Administrative Order shall be effective immediately.

DONE AND ORDERED in chambers in Fort Myers, Lee County, Florida, this 8th
day of June, 2016.



Michael T. McHugh
Chief Judge

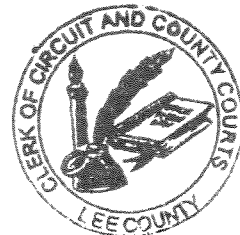
History. - New.

STATE OF FLORIDA, COUNTY OF LEE
FILED FOR RECORD

This 10 Day of June Recorded In Circuit
Book 100 Page 75-79 and Record Verified.
LINDA DOGGETT By [Signature]
Clerk Circuit Court Deputy Clerk

I certify this document to be
a true and correct copy of the
record on file in my office,
Linda Doggett, Clerk Circuit/
County Court, Lee County, FL
Dated: 6/9/16

By [Signature]
Deputy Clerk



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