

Parental Ratification: The Roles of Our State “Parents”

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INTRODUCTION

How do the courtroom workers of the South Palm Beach County Unified Family Court perceive their roles in dependency matters?

Every dependency case heard at the South Palm Beach County Courthouse involves at least thirteen individuals working to safeguard the welfare of a child. A bailiff maintains order in the courtroom, as the judicial and clerical staff preserve what goes on. The appointed juvenile judge, the case manager, attorneys for Florida Department of Children and Families (DCF), attorneys for Children’s Legal Services (CLS), attorneys for Guardian ad Litem (GAL), an attorney for each parent, and at times, an attorney for the child, collaborate to protect those who are adjudicated as dependent of the court.

At the end of the day, each one of them is there to preserve a child’s well-being. Although the main focus is on the child’s welfare, the State is in essence carrying out a partial role in “parenting” the parent of the dependent child.

The parent is typically assigned a court ordered case plan, which they agreed to, along with the representatives for the state, and the judge. A case plan outlines tasks that must be fulfilled by the parent within a specific time frame. By obeying their case plan, the parent increases their chance of being reunified with their child. Failure to comply with their case plan could result in that parent’s rights being terminated.

The services recommended or ordered by the court work as mechanisms to ratify proper parental behavior. By encouraging a mother to seek substance abuse treatment, or influencing a father to attend individual counseling, the state assists in rectifying a parent’s conduct. This method allows the parent an opportunity to remedy the situation, meanwhile the focus remains being what is best for the child. Per the judge,

“Everybody in the system is rooting for reunification when it is appropriate.”

METHOD

This study examines the impact of the parties involved in dependency proceedings under the jurisdiction of the South Palm Beach County Juvenile Court. I present data collected from observations of over thirty hours at dependency hearings and interviews of representatives of DCF and CLS, a GAL attorney, and the juvenile judge.

The current study analyzes the foregoing participants and their roles within reunification, termination of parental rights, and adoption. Additionally, criminal records, mental health status, incidents of domestic violence, and accounts of substance abuse, pertaining to the parents in Florida dependency cases, are discussed.

RESULTS

The attorney representing the Department perceives her role in dependency court as one of a **protector**. She guards the safety of the child, meanwhile complying with Chapter 39 and its Rules of Juvenile Procedures. The subject expressed,

“As long as case management has provided the services to the parent whereby the parent has had the opportunity to comply with the case plan – unless it’s an egregious abuse case – I have no problem terminating a parent’s parental right.”

The attorney for Children’s Legal Services (CLS), perceives her role as an **advocate** of Chapter 39 and for the state of Florida’s interests, specifically DCF’s. She stated,

“This department is focused on making families stronger.”

The attorney for GAL executes his role as **guardian** of the child’s best interest. He specified that a child has the right to be raised in a safe and stable environment. Sadly, many parents in the dependency system voluntarily surrender their parental rights to their child. When the subject was asked how the foregoing situation makes him feel, he replied,

“I’m disappointed that the child will not have the loving parental bonds that most people enjoy. But in many cases, this ends up being a blessing in disguise.”

The juvenile judge of the South Palm Beach County Courthouse acts as his own **gatekeeper** of the facts and laws presented. According to the judge,

“You have to understand the importance of separating the two. You rely on the petitioner and the respondent to narrow down the issues. The moving party sets the ball in a particular motion, and that is the direction you are going in.”

CONCLUSIONS

It is important to note that not all cases call for an opportunity for the parent to do better. In some cases, parents weren’t concerned with devising a case plan, surrendered their parental rights, or had them terminated due to egregious abuse, neglect, or abandonment.

• Goals of Permanent Guardianship (PG), Another Permanency Placed Living Arrangement (APPLA), or Adoption are far more prevalent than most people realize, per the GAL attorney.

• A vast number of dependency cases involve substance abuse by either or both parents, underlying mental health issues, domestic violence, and/or a parent with a criminal record, per court observations.

• Domestic violence and substance abuse are the biggest contributors to how most parents end up in dependency court, per the judge.

• Most cases with a goal of reunification end up meeting that goal, per all subjects interviewed.

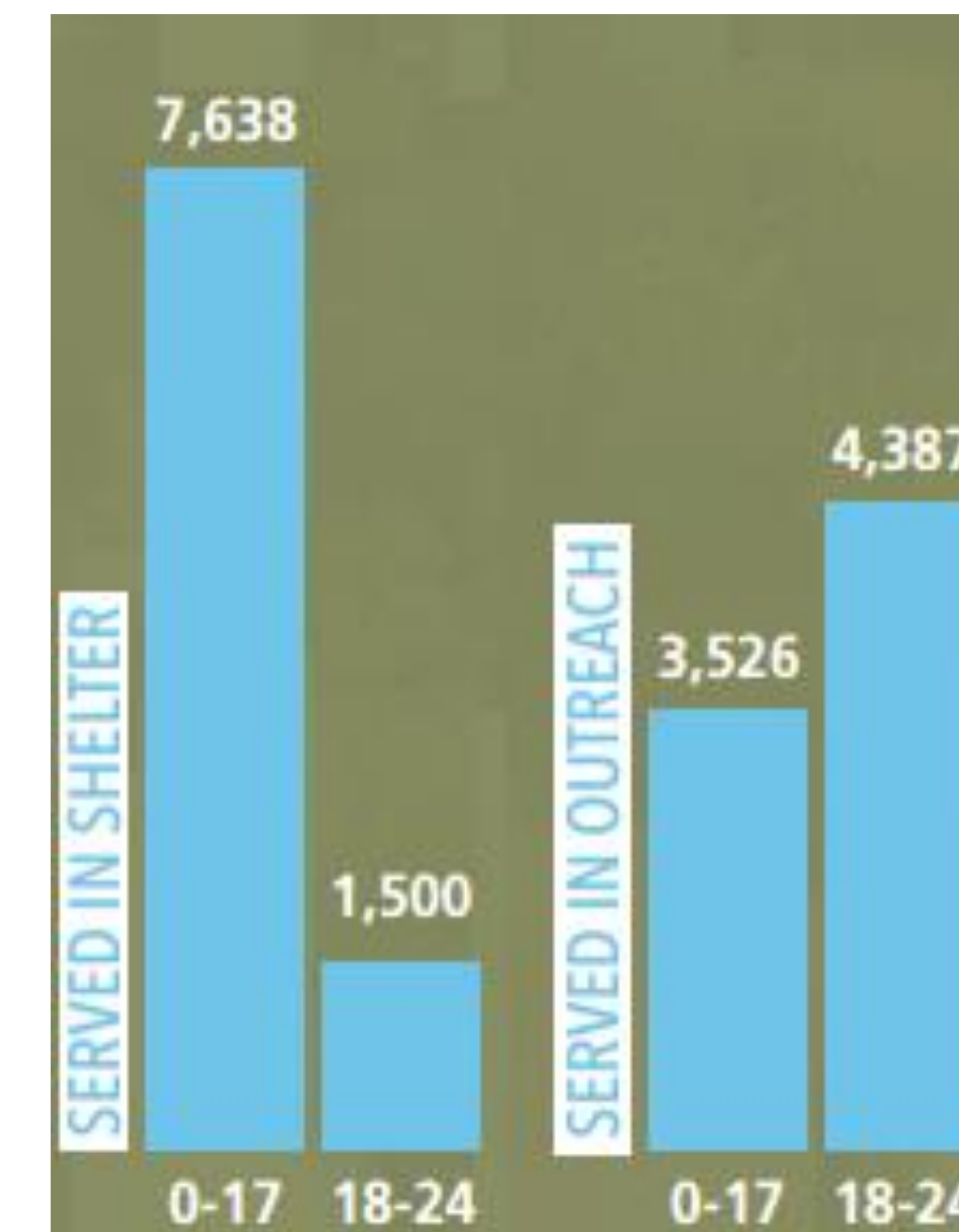


Figure 1. Children and young adults served by Florida Community Centers, via FCADV’s 2015-2016 Annual Domestic Violence Report.

Served Year Total	
Individuals Served in Community Mental Health and Substance Abuse	193,107
Adults Served in Mental Health by Program	114,852
Children Served in Mental Health by Program	25,497
Adults Served in Substance Abuse by Program	48,729
Children Served in Substance Abuse by Program	13,446

Figure 3. DCF Quick Facts: Substance Abuse and Mental Health, 2016-17 Quarter 2 Program.

	2016-17 Total
Number of calls forwarded for an investigation to assess child safety	98,763
Children in investigations of abuse, abandonment, or neglect	135,728
Children assessed during an investigation resulting in the need for DCF intervention (in home or out of home)	10,855
Children achieving permanency (reunified with parents, adopted, or living with a guardian) within 12 months	42.3%
Children Adopted	1,805
Newly Licensed Family and Therapeutic Family Foster Homes	405
As of 12/31/16	
Children who are receiving in-home services	12,477
Children who are in kinship foster care placements	13,056
Children who are in licensed foster care placements	12,478
Children available for adoption	899

Figure 2. DCF Quick Facts: Child Welfare, 2016-17 Quarter 2 Program.

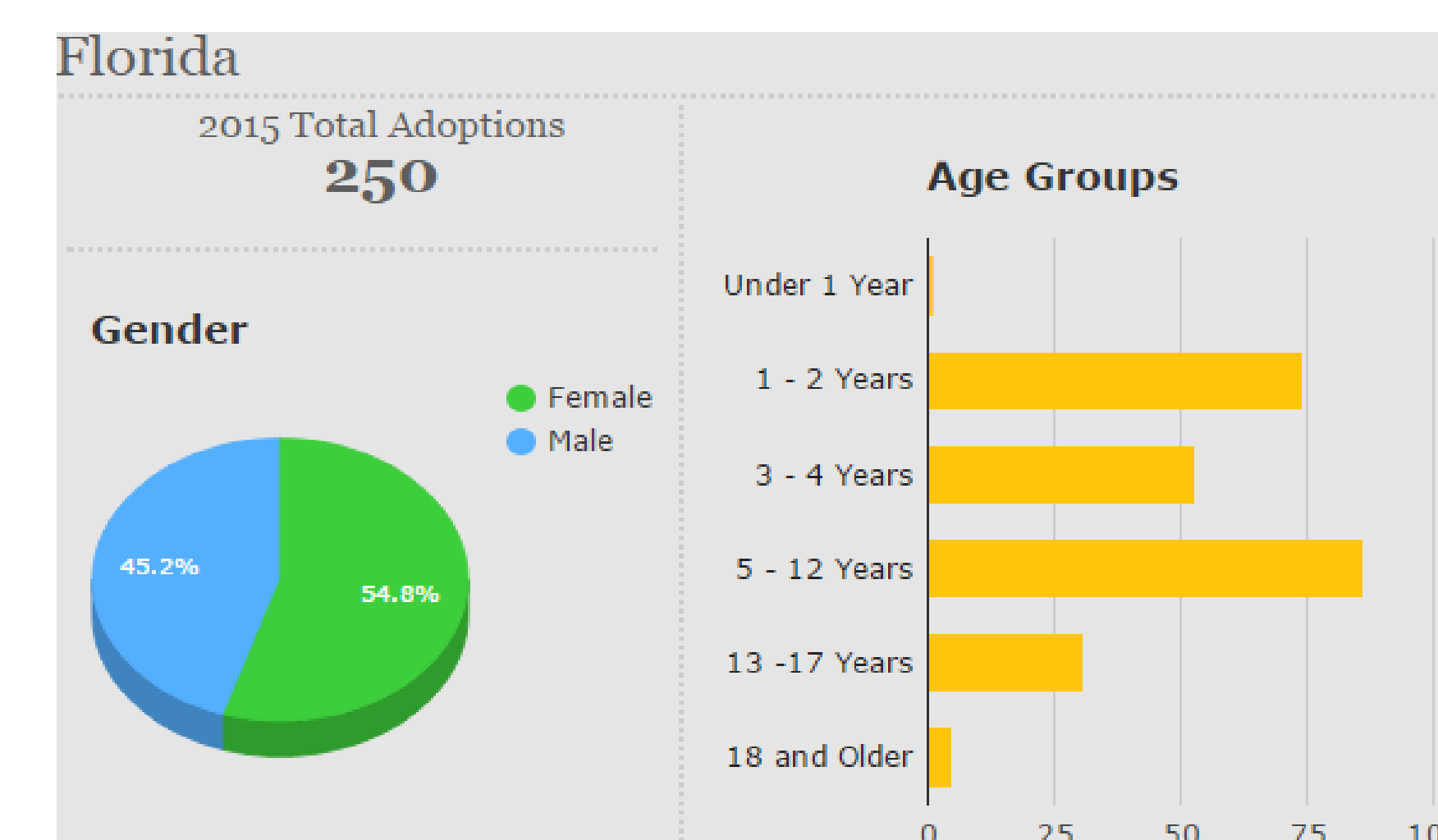


Figure 4. Florida adoptions, 2015.

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