

109TH CONGRESS
2^D SESSION

H. R. 6425

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2006

Ms. ROS-LEHTINEN (for herself, Ms. DELAURO, Mr. FORTUÑO, Mr. KILDEE, and Mrs. SCHMIDT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to improve the health and well-being of maltreated infants and toddlers through the creation of a National Court Teams Resource Center, to assist local Court Teams, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Babies Act of
5 2006”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) Children three years of age and younger
2 have the highest rates of victimization. Infants and
3 toddlers are twice as likely as all other children to
4 become victims of child maltreatment. Children ages
5 three and younger are also 32 percent more likely to
6 be placed in foster care than children ages four to
7 eleven. Once placed in foster care, children three
8 years of age and younger are more likely than older
9 children to be abused and neglected, and they tend
10 to stay in foster care longer than older children.

11 (2) Infants and toddlers are the most vulner-
12 able to the effects of maltreatment. Research shows
13 that young children who have experienced physical
14 abuse have lower social competence, show less empa-
15 thy for others, and have difficulty recognizing oth-
16 ers' emotions. They are also more likely than chil-
17 dren who have not been maltreated to have deficits
18 in IQ scores, language ability, and school perform-
19 ance.

20 (3) Research shows that the human brain has
21 achieved 80 to 85 percent of its adult size by the age
22 of three. During those early years, the brain is de-
23 veloping the vast majority of its basic capacity, the
24 development of which can determine future achieve-
25 ment or failure. Therefore, infants and toddlers in

1 foster care are spending the most critical develop-
2 mental period in situations that may be detrimental
3 to healthy growth and development.

4 (4) Children under the age of four account for
5 81 percent of child fatalities, and children under the
6 age of one account for 45 percent of such fatalities.

7 (5) A rapidly spreading epidemic of meth-
8 amphetamine use is overwhelming child welfare sys-
9 tems in many States. Iowa is one of the States most
10 ravaged by the methamphetamine epidemic, and it
11 has the third highest rate of per capita methamphet-
12 amine treatment admissions in the Nation. In Iowa
13 in 2004, the rate of maltreatment for infants and
14 toddlers was 32.3 per 1,000 children, twice the na-
15 tional average of 16.1 per 1,000 children.

16 (6) Child welfare systems are not meeting the
17 needs of the children who rely on public intervention
18 to protect them. In the Child and Family Service
19 Reviews for fiscal years 2003 and 2004, the Admin-
20 istration for Children and Families revealed that, of
21 19 States studied for performance on Child and
22 Family Services Review indicators, none of the
23 States achieved all of the specified outcomes, and all
24 of the States failed to meet the outcome related to

1 the provision of physical and mental health services
2 to children in foster care.

3 (7) Judges can be powerful catalysts for change
4 in the way communities address the needs of mal-
5 treated infants and toddlers. A groundbreaking
6 project in the Juvenile Division of the Eleventh Ju-
7 dicial Circuit of Florida has combined the leadership
8 of a family court judge with expertise in early child-
9 hood development. This ground breaking collabora-
10 tion is ensuring that infants and toddlers receive the
11 services they need. Mental health and parenting
12 intervention services are provided for parents and
13 children together. Initial results are promising in
14 terms of eliminating further abuse and neglect and
15 promoting safety and well-being through timely per-
16 manent placements.

17 **SEC. 3. COURT TEAMS.**

18 Title II of the Juvenile Justice and Delinquency Pre-
19 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amend-
20 ed—

21 (1) by redesignating part F as part G; and

22 (2) by inserting after part E the following new
23 part:

“PART F—COURT TEAMS**“SEC. 271. COURT TEAMS PROGRAM AUTHORIZED.**

“(a) GRANT AUTHORIZED.—The Administrator shall award a grant to a national early childhood development organization to—

“(1) establish a National Court Teams Resource Center to—

“(A) promote the well-being of maltreated infants and toddlers and their families (including the special problems created by substance abuse, particularly methamphetamine abuse);

“(B) help prevent the recurrence of abuse and neglect of children; and

“(C) promote timely reunification of families or other successful permanency outcomes for maltreated infants and toddlers in foster care; and

“(2) select, and provide assistance to, local Court Teams created to achieve the goals described in paragraph (1).

“(b) GRANT DURATION.—The grant awarded under this part shall be for a period of 5 years, and shall be renewable at the discretion of the Administrator.

1 **“SEC. 272. ELIGIBILITY; APPLICATION; SELECTION OF**
2 **GRANTEE.**

3 “(a) ELIGIBILITY.—To be eligible to receive the grant
4 described in section 271, an entity shall be a national early
5 childhood development organization, as defined in section
6 276, that has—

7 “(1) specific expertise in the development of in-
8 fants and toddlers;

9 “(2) experience in incorporating the expertise
10 described in paragraph (1) into the judicial system
11 to promote change in the way courts address cases
12 involving maltreated infants and toddlers in foster
13 care; and

14 “(3) the capacity—

15 “(A) to establish and maintain the Na-
16 tional Court Teams Resource Center described
17 in section 273; and

18 “(B) to support the implementation and
19 activities of local Court Teams by providing the
20 assistance required under this part.

21 “(b) APPLICATION.—An entity desiring to receive the
22 grant described in section 271 shall submit an application
23 to the Administrator, at such time, in such manner, and
24 containing such information as the Administrator may re-
25 quire. Such application shall—

1 “(1) describe the expertise of the entity in in-
2 fant and toddler development, including any experi-
3 ence relevant to the ability of the entity to oversee
4 the implementation of local Court Teams, and the
5 capacity of the entity to provide assistance to local
6 Court Teams;

7 “(2) include a detailed plan describing how the
8 entity will establish and maintain the National Court
9 Teams Resource Center, and how the entity will
10 carry out the activities of such Center, as described
11 in section 273; and

12 “(3) explain the process the entity will use to
13 select local Court Teams to receive assistance under
14 this part, including an assurance that the entity will
15 give priority to applications that—

16 “(A) demonstrate the commitment of—

17 “(i) at least one qualified judge to
18 lead the local Court Team and serve as Ju-
19 dicial Leader of the Court Team; and

20 “(ii) community agencies serving mal-
21 treated infants and toddlers and their fam-
22 ilies in such jurisdiction to participate in
23 the local Court Team;

24 “(B) describe the population of maltreated
25 infants and toddlers in the community within

1 the jurisdiction of the court over which the
2 qualified judge presides, including—

3 “(i) any problems contributing to the
4 placement of maltreated infants and tod-
5 dlers under the supervision of the court
6 (including the impact of parental substance
7 abuse, and particularly methamphetamine
8 abuse); and

9 “(ii) any challenges faced by the court
10 in making decisions that are in the best in-
11 terests of such maltreated infants and tod-
12 dlers;

13 “(C) describe how the local Court Team
14 will carry out the activities required under sec-
15 tion 274; and

16 “(4) demonstrate the ability to meet the all se-
17 lection criteria, including—

18 “(A) special expertise in the developmental
19 needs of children three years of age and young-
20 er;

21 “(B) a demonstrated record of providing
22 resources to parents and other caregivers re-
23 garding the healthy growth and development of
24 their children;

1 “(C) a demonstrated record of providing
2 resources for practitioners in the fields of child
3 development, early child care and education,
4 family support, pediatrics, child welfare, and
5 mental health;

6 “(D) extensive knowledge about how expo-
7 sure to violence (including domestic violence,
8 community violence, and child maltreatment)
9 influences the growth and development of in-
10 fants and toddlers;

11 “(E) a documented history of collaboration
12 with public and private sector groups working
13 to improve the lives of maltreated infants and
14 toddlers, including collaboration with judges at
15 the local level;

16 “(F) the capacity to analyze child welfare
17 policy at the local, State, and national levels
18 and to offer research-based solutions to the
19 problems confronting child welfare systems
20 across the country;

21 “(G) the ability to manage multiple com-
22 plex national resource centers and related ac-
23 tivities, including strategic planning, team
24 building, infrastructure development, training
25 for multidisciplinary professionals at all levels,

1 materials development for multiple audiences in
2 a variety of formats, and conference planning
3 and delivery at the local, State, regional, and
4 national levels; and

5 “(5) include any other information the Adminis-
6 trator may require, including any assurance required
7 by the Administrator that the entity, if selected, will
8 give special consideration to applications that have a
9 significant number of child welfare cases in the ju-
10 risdiction of the court over which the qualified judge
11 presides in which substance abuse, and particularly
12 methamphetamine abuse, is involved.

13 “(c) SELECTION OF GRANTEE.—In considering grant
14 applications under this part, the Administrator shall select
15 the national early childhood development organization that
16 demonstrates—

17 “(1) the greatest ability to satisfy the criteria
18 described in subsection (b)(4); and

19 “(2) the most extensive experience in address-
20 ing the needs of abused and maltreated infants and
21 toddlers through training and technical assistance
22 provided to judges, multidisciplinary professionals
23 and community leaders.

1 **“SEC. 273. NATIONAL COURT TEAMS RESOURCE CENTER.**

2 “(a) GENERAL ACTIVITIES.—The national early
3 childhood development organization receiving the grant
4 authorized under section 271 shall establish and maintain
5 a National Court Teams Resource Center, which shall
6 carry out the following activities:

7 “(1) Develop a process for selecting, and select,
8 local Court Teams to receive assistance under this
9 part.

10 “(2) Develop materials to guide qualified judges
11 in the decision-making process regarding maltreated
12 infants and toddlers, and to train members of local
13 Court Teams and others in the community regarding
14 the appropriate care of maltreated infants and tod-
15 dlers, including the importance of—

16 “(A) stable foster care placements;

17 “(B) frequent parent-child visitation;

18 “(C) reduction of the recurrence of abuse
19 and neglect;

20 “(D) improving health and well-being; and

21 “(E) timely permanent placement.

22 “(3) Conduct national meetings and training
23 sessions for local Court Teams.

24 “(4) Develop a database that shall be—

25 “(A) available to each local Court Team to
26 track such Court Team’s progress; and

1 “(B) used by the National Court Teams
2 Resource Center to facilitate evaluation of the
3 local Court Teams receiving assistance under
4 this part.

5 “(5) Provide information to communities and
6 courts around the country seeking to adopt the
7 Court Teams approach, including information re-
8 lated to—

9 “(A) the incorporation of knowledge about
10 infant and toddler development into the resolu-
11 tion of cases by judges with jurisdiction over
12 children in foster care; and

13 “(B) methods to change State and local
14 government systems for addressing the needs of
15 infants and toddlers in the foster care, and
16 their families.

17 “(6) Any other activity necessary to provide the
18 assistance required under subsection (b).

19 “(b) ASSISTANCE TO LOCAL COURT TEAMS.—Assist-
20 ance provided to local Court Teams by the National Court
21 Teams Resource Center shall include—

22 “(1) providing direction, coordination, and over-
23 sight of the implementation of local Court Teams, as
24 needed;

1 “(2) providing a Local Community Coordinator
2 for each local Court Team, who shall—

3 “(A) be selected by the National Court
4 Teams Resource Center after consultation with
5 the Judicial Leader of the local Court Team;

6 “(B) serve as a resource of child develop-
7 ment expertise for the local Court Team; and

8 “(C) promote coordination (in the jurisdic-
9 tion of the court over which the Judicial Leader
10 presides) between—

11 “(i) community agencies that serve
12 children; and

13 “(ii) providers of resources to support
14 maltreated infants and toddlers; and

15 “(3) providing training and technical assistance
16 to local Court Teams, including—

17 “(A) individual consultation on site,
18 through telephone conversations, and through
19 responses to emailed information requests;

20 “(B) networking assistance and facilitation
21 of telephone conference calls among Judicial
22 Leaders and local Court Team members in dif-
23 ferent jurisdictions to discuss issues of common
24 concern;

1 “(C) development and dissemination of
2 training materials, including fact sheets, tem-
3 plate forms, and sample operational materials
4 developed by local Court Teams; and

5 “(D) training for local Court Teams re-
6 lated to—

7 “(i) the impact of abuse and neglect
8 on infants and toddlers;

9 “(ii) improved decision-making by
10 courts regarding maltreated infants and
11 toddlers to reduce the recurrence of abuse
12 and neglect and improve developmental
13 outcomes; and

14 “(4) organizing local training for community
15 members of jurisdictions in which local Court Teams
16 are located, which shall relate to the particular needs
17 of infants and toddlers exposed to maltreatment and
18 trauma, including topics such as—

19 “(A) general infant and toddler develop-
20 ment;

21 “(B) the impact of abuse and neglect on
22 development;

23 “(C) a relationship-based mental health
24 intervention model for parents and children to-
25 gether;

1 “(D) best-practices in family interactions;

2 “(E) evidence-based parenting interven-
3 tions; and

4 “(F) services available to foster children in
5 the community.

6 **“SEC. 274. LOCAL COURT TEAMS.**

7 “(a) APPLICATION.—An entity desiring to receive the
8 assistance for local Court Teams made available under
9 this part shall submit an application to the National Court
10 Teams Resource Center at such time, in such manner, and
11 containing such information as the National Court Teams
12 Resource Center may require.

13 “(b) ELIGIBILITY.—To be eligible to receive assist-
14 ance under this part, a local Court Team shall be com-
15 prised of—

16 “(1) a Judicial Leader, who shall be a qualified
17 judge, and who shall lead and oversee the implemen-
18 tation and ongoing activities of the local Court
19 Team;

20 “(2) a Local Community Coordinator, selected
21 and provided by the National Court Teams Resource
22 Center in accordance with section 273(b)(2); and

23 “(3) no fewer than six key stakeholders who—

24 “(A) are members of the community in
25 which the local Court Team is located;

1 “(B) are committed to working to restruc-
2 ture the way the jurisdiction responds to the
3 needs of maltreated infants and toddlers; and

4 “(C) represent a variety of individuals in-
5 volved with the care of maltreated infants and
6 toddlers, which may include pediatricians, child
7 welfare workers, attorneys, court-appointed spe-
8 cial advocates, mental health professionals, sub-
9 stance abuse treatment providers, Early Head
10 Start and child care providers, Court Improve-
11 ment Program staff, and any other individuals
12 who are involved in the care of maltreated in-
13 fants and toddlers.

14 “(c) REQUIRED USE OF ASSISTANCE.—A local Court
15 Team shall use any assistance received under this part to
16 carry out the following activities:

17 “(1) Conducting monthly case reviews of each
18 case handled by the local Court Team, in which all
19 individuals and organizations involved in a case meet
20 to review progress in such case, and to monitor and
21 track referral to, delivery of, and barriers against,
22 services for maltreated infants and toddlers and
23 their families.

24 “(2) Incorporating child-focused services into
25 case plans for maltreated infants and toddlers, in-

1 including services such as medical, developmental, and
2 mental health interventions and, as appropriate,
3 services for children and parents together.

4 “(3) Organizing the provision of local training
5 (provided by the National Court Teams Resource
6 Center) to community members of the jurisdiction in
7 which the local Court Team is located, including
8 court officials, child welfare agencies, attorneys,
9 Guardians Ad Litem, court-appointed special advo-
10 cates, and other individuals and organizations pro-
11 viding services to infants and toddlers in foster care.

12 “(4) Identifying areas in the community in need
13 of improved mental health and substance abuse
14 treatment, and assisting the National Court Teams
15 Resource Center in improving mental health treat-
16 ment for parents and children together, and sub-
17 stance abuse treatment for families (including moth-
18 ers and children), as needed.

19 “(5) Utilizing resource materials disseminated
20 by the National Court Teams Resource Center to
21 guide judges in the decision-making process regard-
22 ing maltreated infants and toddlers, and to provide
23 training for Court Team members.

24 “(6) Participating in the national evaluation
25 conducted by the Administrator in accordance with

1 section 275, to determine the extent to which the ac-
2 tivities of the local Court Team reduce the recur-
3 rence of abuse and neglect and improve health and
4 developmental outcomes for maltreated infants and
5 toddlers.

6 “(d) PERMISSIBLE USE OF ASSISTANCE.—A local
7 Court may use the assistance received under this part to
8 carry out the following activities:

9 “(1) Developing processes for responding to pa-
10 rental substance abuse, such as—

11 “(A) coordinating with local law enforce-
12 ment agencies to allow rapid response teams to
13 intervene quickly on behalf of infants and tod-
14 dlers who are identified by law enforcement per-
15 sonnel as being present during illegal activities
16 related to methamphetamines or other illegal
17 substances; and

18 “(B) establishing and maintaining relation-
19 ships with substance abuse treatment programs
20 to increase access to treatment for parents of
21 maltreated infants and toddlers.

22 “(2) Identifying the areas in the community in
23 need of early childhood mental health services, and
24 assisting the National Court Teams Resource Center
25 in providing relationship-based early childhood men-

1 tal health services by providing training on parent-
2 child psychotherapy to mental health providers.

3 “(3) Any other activities that help meet the
4 needs and improve the health and developmental
5 outcomes of maltreated infants and toddlers in fos-
6 ter care.

7 **“SEC. 275. EVALUATIONS AND REPORTS.**

8 “(a) EVALUATION FORM.—Not later than 6 months
9 after the date of the enactment of this Act, the National
10 Court Teams Resource Center shall create, and distribute
11 to each local Court Team, an evaluation form that shall
12 be used to periodically collect any data from local Court
13 Teams that the National Court Teams Resource Center
14 determines may be relevant to the reports required by sub-
15 section (b).

16 “(b) REPORTS TO CONGRESS BY THE ADMINIS-
17 TRATOR.—At the end of the three-year period beginning
18 on the date of the enactment of this Act, and again at
19 the end of the five-year period beginning on such date of
20 enactment, the Administrator shall—

21 “(1) compile the data collected in the periodic
22 evaluation forms completed by each local Court
23 Team;

24 “(2) conduct a national evaluation of Court
25 Teams, based on such compilation of data; and

1 “(3) report to Congress on the effectiveness of
2 Court Teams, including the extent to which local
3 Court Teams are—

4 “(A) improving access to services for mal-
5 treated infants and toddlers;

6 “(B) reducing the recurrence of abuse and
7 neglect;

8 “(C) promoting permanent placements of
9 maltreated infants and toddlers; and

10 “(D) improving the developmental out-
11 comes for maltreated infants and toddlers who
12 have been in foster care.

13 **“SEC. 276. DEFINITIONS.**

14 “For the purposes of this part:

15 “(1) COURT-APPOINTED SPECIAL ADVOCATE.—

16 The term ‘court-appointed special advocate’ means
17 an individual who is trained by a recognized court-
18 appointed special advocate program and appointed
19 by a court to advocate for the best interests of chil-
20 dren who come into the court system primarily as a
21 result of abuse or neglect.

22 “(2) COURT IMPROVEMENT PROGRAM.—The
23 term ‘Court Improvement Program’ means a pro-
24 gram authorized under section 438 of the Social Se-
25 curity Act (42 U.S.C. 629h).

1 “(3) GUARDIAN AD LITEM.—The term ‘Guard-
2 ian Ad Litem’ means an attorney or court-appointed
3 special advocate who is appointed by a court to ad-
4 vocate for the best interests of children who come
5 into the court system primarily as a result of abuse
6 or neglect.

7 “(4) MALTREATED INFANT OR TODDLER.—The
8 term ‘maltreated infant or toddler’ means any child
9 three years of age or younger who is the victim of
10 a substantiated case of physical abuse, neglect, med-
11 ical neglect, sexual abuse, or emotional abuse.

12 “(5) NATIONAL EARLY CHILDHOOD DEVELOP-
13 MENT ORGANIZATION.—The term ‘national early
14 childhood development organization’ means a na-
15 tional, private, nonprofit organization—

16 “(A) that is dedicated to supporting the
17 healthy development and well-being of infants,
18 toddlers, and their families; and

19 “(B) that has the capacity for research,
20 training, information dissemination, and leader-
21 ship development in all of the professional dis-
22 ciplines related to infants and toddlers three
23 years of age and younger.

24 “(6) QUALIFIED JUDGE.—The term ‘qualified
25 judge’ means a judge who presides over a court that

1 has jurisdiction over children in foster care, such as
2 a judge for a dependency court or family court.”.

3 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 299 of the Juvenile Justice and Delinquency
5 Prevention Act of 1974 (42 U.S.C. 5671) is amended—

6 (1) in subsection (a)—

7 (A) in the header, by striking “PARTS C
8 AND E)” and inserting “PARTS C, E, AND F”);
9 and

10 (B) in paragraph (2), by striking “parts C
11 and E)” and inserting “parts C, E, and F”);

12 (2) by redesignating subsection (d) as sub-
13 section (e); and

14 (3) by inserting after subsection (c) the fol-
15 lowing new subsection:

16 “(d) AUTHORIZATION OF APPROPRIATIONS FOR
17 PART F.—There are authorized to be appropriated to
18 carry out part F such sums as may be necessary for fiscal
19 years 2007, 2008, 2009, 2010, and 2011.”.

○