

## Judicial Canon (applies to all family court case types)

### [Canon 3](#) of the Florida Code of Judicial Conduct

A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, and of staff, court officials, and others subject to the judge's direction and control.

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## Florida Supreme Court Opinion (applies to all family court case types)

### Florida Supreme Court's May 3, 2001 [Family Court Opinion](#)

All persons, whether children or adults, should be treated with objectivity, sensitivity, dignity and respect. We also stress the importance of embracing methods of resolving disputes that do not cause additional emotional harm to the children and families who are required to interact with the judicial system.

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## Federal Regulations (applies to dependency cases)

### [Public Law 112-34](#), September 30, 2011

Ensures provision of health and mental health care for children who are abused and/or neglected, including addressing the issue of trauma.

### [Social Security Act](#), Section 422

Provides that each state will develop a plan for the ongoing oversight and coordination of health care services for any child in a foster care placement, including how health needs identified through screenings will be monitored and treated, including emotional trauma associated with a child's maltreatment and removal from home.

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## Statutory/rule references providing authority for ordering trauma screening, assessment, and treatment

### Dependency

- [39.407](#) Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody (upon parent and child)
- [39.504\(4\)\(a\)2](#) Injunction pending disposition of petition (upon alleged or actual offender)
- [39.521\(1\)\(b\)1](#) Disposition hearings; powers of disposition (upon parent or legal custodian)
- [39.6012\(1\)](#) Case plan tasks; services (upon parent)
- [39.6012\(2\)](#) Case plan tasks; services (upon child)
- [Fla.R.Juv.P. 8.340\(c\)\(3\)](#) Disposition hearings (upon parent and child)

### Delinquency

- [985.18\(1\),\(2\)](#) Medical, psychiatric, psychological, substance abuse, and educational examination and treatment
- [985.433\(5\)](#) Disposition hearing in delinquency cases
- [985.435\(3\)](#) Probation and postcommitment probation; community service

### Dissolution of Marriage

- [61.20](#) Social investigation and recommendations regarding a parenting plan
- [61.13\(3\)](#) Support of children; parenting and time-sharing; powers of court

### Non-dependency Adoption

- [63.0423\(7\)\(b\)](#) Procedures with respect to surrendered infants (upon parent of surrendered infant)
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## Other sections that provide support for courts to consider trauma

- [394.495\(4\)](#) Child and adolescent mental health system of care; programs and services
- [409.145\(2\)\(a\)2, \(2\)\(b\)2](#) Care of children; quality parenting; "reasonable and prudent parent" standard
- [409.1678\(2\)\(a\), \(2\)\(c\)\(1\), \(2\)\(e\),\(3\)](#) Specialized residential options for children who are victims of sexual exploitation
- [409.1754\(1\)\(a\), 4,\(2\)\(c\)2](#) Sexually exploited children; screening and assessment; training; case management; task forces
- [985.02\(8\)](#) Legislative intent for the juvenile justice system
- [985.03\(52\)](#) Definitions
- [985.601\(3\)\(a\)](#) Administering the juvenile justice continuum