

Calendar No. 88110TH CONGRESS
1ST SESSION**S. 627**

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 SENATE OF THE UNITED STATES

FEBRUARY 15, 2007

Mr. HARKIN (for himself, Mr. SMITH, Mr. SPECTER, Mr. MARTINEZ, Mr. KERRY, Mr. COLEMAN, Mr. GRASSLEY, Mr. SCHUMER, and Mr. ISAKSON) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

MARCH 26, 2007

Reported by Mr. LEAHY, without amendment

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safe Babies Act of
3 2007”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds as follows:

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

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

25 (3) Research shows that the human brain has
26 achieved 80 to 85 percent of its adult size by the age

1 of three. During those early years, the brain is de-
2 veloping the vast majority of its basic capacity, the
3 development of which can determine future achieve-
4 ment or failure. Therefore, infants and toddlers in
5 foster care are spending the most critical develop-
6 mental period in situations that may be detrimental
7 to healthy growth and development.

8 (4) Children under the age of four account for
9 81 percent of child fatalities, and children under the
10 age of one account for 45 percent of such fatalities.

11 (5) Child welfare systems are not meeting the
12 needs of the children who rely on public intervention
13 to protect them. In the Child and Family Service
14 Reviews for fiscal years 2003 and 2004, the Admin-
15 istration for Children and Families revealed that, of
16 19 States studied for performance on Child and
17 Family Services Review indicators, none of the
18 States achieved all of the specified outcomes, and all
19 of the States failed to meet the outcome related to
20 the provision of physical and mental health services
21 to children in foster care.

22 (6) Judges can be powerful catalysts for change
23 in the way communities address the needs of mal-
24 treated infants and toddlers. A groundbreaking
25 project in the Juvenile Division of the Eleventh Ju-

1 dicial Circuit of Florida has combined the leadership
 2 of a family court judge with expertise in early child-
 3 hood development. This ground breaking collabora-
 4 tion is ensuring that infants and toddlers receive the
 5 services they need. Mental health and parenting
 6 intervention services are provided for parents and
 7 children together. Initial results are promising in
 8 terms of eliminating further abuse and neglect and
 9 promoting safety and well-being through timely per-
 10 manent placements.

11 **SEC. 3. COURT TEAMS.**

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

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

16 (2) by inserting after part E the following new
 17 part:

18 **“PART F—COURT TEAMS**

19 **“SEC. 271. COURT TEAMS PROGRAM AUTHORIZED.**

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

23 “(1) establish a National Court Teams Re-
 24 source Center to—

1 “(2) experience in incorporating the expertise
2 described in paragraph (1) into the judicial system
3 to promote change in the way courts address cases
4 involving maltreated infants and toddlers in foster
5 care; and

6 “(3) the capacity—

7 “(A) to establish and maintain the Na-
8 tional Court Teams Resource Center described
9 in section 273; and

10 “(B) to support the implementation and
11 activities of local Court Teams by providing the
12 assistance required under this part.

13 “(b) APPLICATION.—An entity desiring to receive the
14 grant described in section 271 shall submit an application
15 to the Administrator, at such time, in such manner, and
16 containing such information as the Administrator may re-
17 quire. Such application shall—

18 “(1) describe the expertise of the entity in in-
19 fant and toddler development, including any experi-
20 ence relevant to the ability of the entity to oversee
21 the implementation of local Court Teams, and the
22 capacity of the entity to provide assistance to local
23 Court Teams;

24 “(2) include a detailed plan describing how the
25 entity will establish and maintain the National Court

1 Teams Resource Center, and how the entity will
2 carry out the activities of such Center, as described
3 in section 273; and

4 “(3) explain the process the entity will use to
5 select local Court Teams to receive assistance under
6 this part, including an assurance that the entity will
7 give priority to applications that—

8 “(A) demonstrate the commitment of—

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

12 “(ii) community agencies serving mal-
13 treated infants and toddlers and their fam-
14 ilies in such jurisdiction to participate in
15 the local Court Team;

16 “(B) describe the population of maltreated
17 infants and toddlers in the community within
18 the jurisdiction of the court over which the
19 qualified judge presides, including—

20 “(i) any problems contributing to the
21 placement of maltreated infants and tod-
22 dlers under the supervision of the court
23 (including the impact of parental substance
24 abuse, and particularly methamphetamine
25 abuse); and

1 “(ii) any challenges faced by the court
2 in making decisions that are in the best in-
3 terests of such maltreated infants and tod-
4 dlers; and

5 “(C) describe how the local Court Team
6 will carry out the activities required under sec-
7 tion 274;

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

10 “(A) special expertise in the developmental
11 needs of children three years of age and young-
12 er;

13 “(B) a demonstrated record of providing
14 resources to parents and other caregivers re-
15 garding the healthy growth and development of
16 their children;

17 “(C) a demonstrated record of providing
18 resources for practitioners in the fields of child
19 development, early child care and education,
20 family support, pediatrics, child welfare, and
21 mental health;

22 “(D) extensive knowledge about how expo-
23 sure to violence (including domestic violence,
24 community violence, and child maltreatment)

1 influences the growth and development of in-
2 fants and toddlers;

3 “(E) a documented history of collaboration
4 with public and private sector groups working
5 to improve the lives of maltreated infants and
6 toddlers, including collaboration with judges at
7 the local level;

8 “(F) the capacity to analyze child welfare
9 policy at the local, State, and national levels
10 and to offer research-based solutions to the
11 problems confronting child welfare systems
12 across the country; and

13 “(G) the ability to manage multiple com-
14 plex national resource centers and related ac-
15 tivities, including strategic planning, team
16 building, infrastructure development, training
17 for multidisciplinary professionals at all levels,
18 materials development for multiple audiences in
19 a variety of formats, and conference planning
20 and delivery at the local, State, regional, and
21 national levels; and

22 “(5) include any other information the Adminis-
23 trator may require, including any assurance required
24 by the Administrator that the entity, if selected, will
25 give special consideration to applications that have a

1 significant number of child welfare cases in the ju-
2 risdiction of the court over which the qualified judge
3 presides in which substance abuse, and particularly
4 methamphetamine abuse, is involved.

5 “(c) SELECTION OF GRANTEE.—In considering grant
6 applications under this part, the Administrator shall select
7 the national early childhood development organization that
8 demonstrates—

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

11 “(2) the most extensive experience in address-
12 ing the needs of abused and maltreated infants and
13 toddlers through training and technical assistance
14 provided to judges, multidisciplinary professionals
15 and community leaders.

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

17 “(a) GENERAL ACTIVITIES.—The national early
18 childhood development organization receiving the grant
19 authorized under section 271 shall establish and maintain
20 a National Court Teams Resource Center, which shall
21 carry out the following activities:

22 “(1) Develop a process for selecting, and select,
23 local Court Teams to receive assistance under this
24 part.

1 “(2) Develop materials to guide qualified judges
2 in the decision-making process regarding maltreated
3 infants and toddlers, and to train members of local
4 Court Teams and others in the community regarding
5 the appropriate care of maltreated infants and tod-
6 dlers, including the importance of—

7 “(A) stable foster care placements;

8 “(B) frequent parent-child visitation;

9 “(C) reduction of the recurrence of abuse
10 and neglect;

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

12 “(E) timely permanent placement.

13 “(3) Conduct national meetings and training
14 sessions for local Court Teams.

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

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

18 “(B) used by the National Court Teams
19 Resource Center to facilitate evaluation of the
20 local Court Teams receiving assistance under
21 this part.

22 “(5) Provide information to communities and
23 courts around the country seeking to adopt the
24 Court Teams approach, including information re-
25 lated to—

1 “(A) the incorporation of knowledge about
2 infant and toddler development into the resolu-
3 tion of cases by judges with jurisdiction over
4 children in foster care; and

5 “(B) methods to change State and local
6 government systems for addressing the needs of
7 infants and toddlers in the foster care, and
8 their families.

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

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

14 “(1) providing direction, coordination, and over-
15 sight of the implementation of local Court Teams, as
16 needed;

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

19 “(A) be selected by the National Court
20 Teams Resource Center after consultation with
21 the Judicial Leader of the local Court Team;

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

1 “(C) promote coordination (in the jurisdic-
2 tion of the court over which the Judicial Leader
3 presides) between—

4 “(i) community agencies that serve
5 children; and

6 “(ii) providers of resources to support
7 maltreated infants and toddlers;

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

10 “(A) individual consultation on site,
11 through telephone conversations, and through
12 responses to emailed information requests;

13 “(B) networking assistance and facilitation
14 of telephone conference calls among Judicial
15 Leaders and local Court Team members in dif-
16 ferent jurisdictions to discuss issues of common
17 concern;

18 “(C) development and dissemination of
19 training materials, including fact sheets, tem-
20 plate forms, and sample operational materials
21 developed by local Court Teams; and

22 “(D) training for local Court Teams re-
23 lated to—

24 “(i) the impact of abuse and neglect
25 on infants and toddlers; and

1 “(ii) improved decision-making by
2 courts regarding maltreated infants and
3 toddlers to reduce the recurrence of abuse
4 and neglect and improve developmental
5 outcomes; and

6 “(4) organizing local training for community
7 members of jurisdictions in which local Court Teams
8 are located, which shall relate to the particular needs
9 of infants and toddlers exposed to maltreatment and
10 trauma, including topics such as—

11 “(A) general infant and toddler develop-
12 ment;

13 “(B) the impact of abuse and neglect on
14 development;

15 “(C) a relationship-based mental health
16 intervention model for parents and children to-
17 gether;

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

19 “(E) evidence-based parenting interven-
20 tions; and

21 “(F) services available to foster children in
22 the community.

23 **“SEC. 274. LOCAL COURT TEAMS.**

24 “(a) APPLICATION.—An entity desiring to receive the
25 assistance for local Court Teams made available under

1 this part shall submit an application to the National Court
2 Teams Resource Center at such time, in such manner, and
3 containing such information as the National Court Teams
4 Resource Center may require.

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

8 “(1) a Judicial Leader, who shall be a qualified
9 judge, and who shall lead and oversee the implemen-
10 tation and ongoing activities of the local Court
11 Team;

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

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

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

18 “(B) are committed to working to restruc-
19 ture the way the jurisdiction responds to the
20 needs of maltreated infants and toddlers; and

21 “(C) represent a variety of individuals in-
22 volved with the care of maltreated infants and
23 toddlers, which may include pediatricians, child
24 welfare workers, attorneys, court-appointed spe-
25 cial advocates, mental health professionals, sub-

1 stance abuse treatment providers, Early Head
2 Start and child care providers, Court Improve-
3 ment Program staff, and any other individuals
4 who are involved in the care of maltreated in-
5 fants and toddlers.

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

9 “(1) Conducting monthly case reviews of each
10 case handled by the local Court Team, in which all
11 individuals and organizations involved in a case meet
12 to review progress in such case, and to monitor and
13 track referral to, delivery of, and barriers against,
14 services for maltreated infants and toddlers and
15 their families.

16 “(2) Incorporating child-focused services into
17 case plans for maltreated infants and toddlers, in-
18 cluding services such as medical, developmental, and
19 mental health interventions and, as appropriate,
20 services for children and parents together.

21 “(3) Organizing the provision of local training
22 (provided by the National Court Teams Resource
23 Center) to community members of the jurisdiction in
24 which the local Court Team is located, including
25 court officials, child welfare agencies, attorneys,

1 Guardians Ad Litem, court-appointed special advo-
2 cates, and other individuals and organizations pro-
3 viding services to infants and toddlers in foster care.

4 “(4) Identifying areas in the community in need
5 of improved mental health and substance abuse
6 treatment, and assisting the National Court Teams
7 Resource Center in improving mental health treat-
8 ment for parents and children together, and sub-
9 stance abuse treatment for families (including moth-
10 ers and children), as needed.

11 “(5) Utilizing resource materials disseminated
12 by the National Court Teams Resource Center to
13 guide judges in the decision-making process regard-
14 ing maltreated infants and toddlers, and to provide
15 training for Court Team members.

16 “(6) Participating in the national evaluation
17 conducted by the Administrator in accordance with
18 section 275, to determine the extent to which the ac-
19 tivities of the local Court Team reduce the recur-
20 rence of abuse and neglect and improve health and
21 developmental outcomes for maltreated infants and
22 toddlers.

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

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

3 “(A) coordinating with local law enforce-
4 ment agencies to allow rapid response teams to
5 intervene quickly on behalf of infants and tod-
6 dlers who are identified by law enforcement per-
7 sonnel as being present during illegal activities
8 related to methamphetamines or other illegal
9 substances; and

10 “(B) establishing and maintaining relation-
11 ships with substance abuse treatment programs
12 to increase access to treatment for parents of
13 maltreated infants and toddlers.

14 “(2) Identifying the areas in the community in
15 need of early childhood mental health services, and
16 assisting the National Court Teams Resource Center
17 in providing relationship-based early childhood men-
18 tal health services by providing training on parent-
19 child psychotherapy to mental health providers.

20 “(3) Any other activities that help meet the
21 needs and improve the health and developmental
22 outcomes of maltreated infants and toddlers in fos-
23 ter care.

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

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

10 “(b) REPORTS TO CONGRESS BY THE ADMINIS-
11 TRATOR.—At the end of the three-year period beginning
12 on the date of the enactment of this Act, and again at
13 the end of the five-year period beginning on such date of
14 enactment, the Administrator shall—

15 “(1) compile the data collected in the periodic
16 evaluation forms completed by each local Court
17 Team;

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

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

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

25 “(B) reducing the recurrence of abuse and
26 neglect;

1 “(C) promoting permanent placements of
2 maltreated infants and toddlers; and

3 “(D) improving the developmental out-
4 comes for maltreated infants and toddlers who
5 have been in foster care.

6 **“SEC. 276. DEFINITIONS.**

7 “For the purposes of this part:

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

9 The term ‘court-appointed special advocate’ means
10 an individual who is trained by a recognized court-
11 appointed special advocate program and appointed
12 by a court to advocate for the best interests of chil-
13 dren who come into the court system primarily as a
14 result of abuse or neglect.

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

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

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

6 “(5) **NATIONAL EARLY CHILDHOOD DEVELOP-**
7 **MENT ORGANIZATION.**—The term ‘national early
8 childhood development organization’ means a na-
9 tional, private, nonprofit organization—

10 “(A) that is dedicated to supporting the
11 healthy development and well-being of infants,
12 toddlers, and their families; and

13 “(B) that has the capacity for research,
14 training, information dissemination, and leader-
15 ship development in all of the professional dis-
16 ciplines related to infants and toddlers three
17 years of age and younger.

18 “(6) **QUALIFIED JUDGE.**—The term ‘qualified
19 judge’ means a judge who presides over a court that
20 has jurisdiction over children in foster care, such as
21 a judge for a dependency court or family court.”.

22 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

25 (1) in subsection (a)—

1 (A) in the header, by striking “PARTS C
2 AND E)” and inserting “PARTS C, E, AND F”);
3 and

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

6 (2) by redesignating subsection (d) as sub-
7 section (e); and

8 (3) by inserting after subsection (c) the fol-
9 lowing new subsection:

10 “(d) AUTHORIZATION OF APPROPRIATIONS FOR
11 PART F.—There are authorized to be appropriated to
12 carry out part F, \$5,000,000 for each of fiscal years 2008,
13 2009, 2010, 2011, and 2012.”.

Calendar No. 88

110TH CONGRESS
1ST Session

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A BILL

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