

110TH 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.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2007

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

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## 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 2007”.

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

18 (6) Judges can be powerful catalysts for change  
19 in the way communities address the needs of mal-  
20 treated infants and toddlers. A groundbreaking  
21 project in the Juvenile Division of the Eleventh Ju-  
22 dicial Circuit of Florida has combined the leadership  
23 of a family court judge with expertise in early child-  
24 hood development. This ground breaking collabora-  
25 tion is ensuring that infants and toddlers receive the

1 services they need. Mental health and parenting  
 2 intervention services are provided for parents and  
 3 children together. Initial results are promising in  
 4 terms of eliminating further abuse and neglect and  
 5 promoting safety and well-being through timely per-  
 6 manent placements.

7 **SEC. 3. COURT TEAMS.**

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

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

12 (2) by inserting after part E the following new  
 13 part:

14 **“PART F—COURT TEAMS**

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

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

19 “(1) establish a National Court Teams Re-  
 20 source Center to—

21 “(A) promote the well-being of maltreated  
 22 infants and toddlers and their families (includ-  
 23 ing the special problems created by substance  
 24 abuse, particularly methamphetamine abuse);

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

3           “(C) promote timely reunification of fami-  
4           lies or other successful permanency outcomes  
5           for maltreated infants and toddlers in foster  
6           care; and

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

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

13 **“SEC. 272. ELIGIBILITY; APPLICATION; SELECTION OF**  
14 **GRANTEE.**

15          “(a) ELIGIBILITY.—To be eligible to receive the grant  
16 described in section 271, an entity shall be a national early  
17 childhood development organization, as defined in section  
18 276, that has—

19           “(1) specific expertise in the development of in-  
20           fants and toddlers;

21           “(2) experience in incorporating the expertise  
22           described in paragraph (1) into the judicial system  
23           to promote change in the way courts address cases  
24           involving maltreated infants and toddlers in foster  
25           care; and

1 “(3) the capacity—

2 “(A) to establish and maintain the Na-  
3 tional Court Teams Resource Center described  
4 in section 273; and

5 “(B) to support the implementation and  
6 activities of local Court Teams by providing the  
7 assistance required under this part.

8 “(b) APPLICATION.—An entity desiring to receive the  
9 grant described in section 271 shall submit an application  
10 to the Administrator, at such time, in such manner, and  
11 containing such information as the Administrator may re-  
12 quire. Such application shall—

13 “(1) describe the expertise of the entity in in-  
14 fant and toddler development, including any experi-  
15 ence relevant to the ability of the entity to oversee  
16 the implementation of local Court Teams, and the  
17 capacity of the entity to provide assistance to local  
18 Court Teams;

19 “(2) include a detailed plan describing how the  
20 entity will establish and maintain the National Court  
21 Teams Resource Center, and how the entity will  
22 carry out the activities of such Center, as described  
23 in section 273; and

24 “(3) explain the process the entity will use to  
25 select local Court Teams to receive assistance under

1 this part, including an assurance that the entity will  
2 give priority to applications that—

3 “(A) demonstrate the commitment of—

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

7 “(ii) community agencies serving mal-  
8 treated infants and toddlers and their fam-  
9 ilies in such jurisdiction to participate in  
10 the local Court Team;

11 “(B) describe the population of maltreated  
12 infants and toddlers in the community within  
13 the jurisdiction of the court over which the  
14 qualified judge presides, including—

15 “(i) any problems contributing to the  
16 placement of maltreated infants and tod-  
17 dlers under the supervision of the court  
18 (including the impact of parental substance  
19 abuse, and particularly methamphetamine  
20 abuse); and

21 “(ii) any challenges faced by the court  
22 in making decisions that are in the best in-  
23 terests of such maltreated infants and tod-  
24 dlers; and

1           “(C) describe how the local Court Team  
2 will carry out the activities required under sec-  
3 tion 274;

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

6           “(A) special expertise in the developmental  
7 needs of children three years of age and young-  
8 er;

9           “(B) a demonstrated record of providing  
10 resources to parents and other caregivers re-  
11 garding the healthy growth and development of  
12 their children;

13           “(C) a demonstrated record of providing  
14 resources for practitioners in the fields of child  
15 development, early child care and education,  
16 family support, pediatrics, child welfare, and  
17 mental health;

18           “(D) extensive knowledge about how expo-  
19 sure to violence (including domestic violence,  
20 community violence, and child maltreatment)  
21 influences the growth and development of in-  
22 fants and toddlers;

23           “(E) a documented history of collaboration  
24 with public and private sector groups working  
25 to improve the lives of maltreated infants and



1 toddlers, including collaboration with judges at  
2 the local level;

3 “(F) the capacity to analyze child welfare  
4 policy at the local, State, and national levels  
5 and to offer research-based solutions to the  
6 problems confronting child welfare systems  
7 across the country; and

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

17 “(5) include any other information the Adminis-  
18 trator may require, including any assurance required  
19 by the Administrator that the entity, if selected, will  
20 give special consideration to applications that have a  
21 significant number of child welfare cases in the ju-  
22 risdiction of the court over which the qualified judge  
23 presides in which substance abuse, and particularly  
24 methamphetamine abuse, is involved.

1       “(c) SELECTION OF GRANTEE.—In considering grant  
2 applications under this part, the Administrator shall select  
3 the national early childhood development organization that  
4 demonstrates—

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

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

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

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

18           “(1) Develop a process for selecting, and select,  
19 local Court Teams to receive assistance under this  
20 part.

21           “(2) Develop materials to guide qualified judges  
22 in the decision-making process regarding maltreated  
23 infants and toddlers, and to train members of local  
24 Court Teams and others in the community regarding

1 the appropriate care of maltreated infants and tod-  
2 dlers, including the importance of—

3 “(A) stable foster care placements;

4 “(B) frequent parent-child visitation;

5 “(C) reduction of the recurrence of abuse  
6 and neglect;

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

8 “(E) timely permanent placement.

9 “(3) Conduct national meetings and training  
10 sessions for local Court Teams.

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

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

14 “(B) used by the National Court Teams  
15 Resource Center to facilitate evaluation of the  
16 local Court Teams receiving assistance under  
17 this part.

18 “(5) Provide information to communities and  
19 courts around the country seeking to adopt the  
20 Court Teams approach, including information re-  
21 lated to—

22 “(A) the incorporation of knowledge about  
23 infant and toddler development into the resolu-  
24 tion of cases by judges with jurisdiction over  
25 children in foster care; and

1           “(B) methods to change State and local  
2           government systems for addressing the needs of  
3           infants and toddlers in the foster care, and  
4           their families.

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

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

10           “(1) providing direction, coordination, and over-  
11           sight of the implementation of local Court Teams, as  
12           needed;

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

15           “(A) be selected by the National Court  
16           Teams Resource Center after consultation with  
17           the Judicial Leader of the local Court Team;

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

20           “(C) promote coordination (in the jurisdic-  
21           tion of the court over which the Judicial Leader  
22           presides) between—

23           “(i) community agencies that serve  
24           children; and

1                   “(ii) providers of resources to support  
2                   maltreated infants and toddlers;

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

5                   “(A) individual consultation on site,  
6                   through telephone conversations, and through  
7                   responses to emailed information requests;

8                   “(B) networking assistance and facilitation  
9                   of telephone conference calls among Judicial  
10                  Leaders and local Court Team members in dif-  
11                  ferent jurisdictions to discuss issues of common  
12                  concern;

13                  “(C) development and dissemination of  
14                  training materials, including fact sheets, tem-  
15                  plate forms, and sample operational materials  
16                  developed by local Court Teams; and

17                  “(D) training for local Court Teams re-  
18                  lated to—

19                         “(i) the impact of abuse and neglect  
20                         on infants and toddlers; and

21                         “(ii) improved decision-making by  
22                         courts regarding maltreated infants and  
23                         toddlers to reduce the recurrence of abuse  
24                         and neglect and improve developmental  
25                         outcomes; and

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

6           “(A) general infant and toddler develop-  
7 ment;

8           “(B) the impact of abuse and neglect on  
9 development;

10           “(C) a relationship-based mental health  
11 intervention model for parents and children to-  
12 gether;

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

14           “(E) evidence-based parenting interven-  
15 tions; and

16           “(F) services available to foster children in  
17 the community.

18 **“SEC. 274. LOCAL COURT TEAMS.**

19           “(a) APPLICATION.—An entity desiring to receive the  
20 assistance for local Court Teams made available under  
21 this part shall submit an application to the National Court  
22 Teams Resource Center at such time, in such manner, and  
23 containing such information as the National Court Teams  
24 Resource Center may require.

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

4               “(1) a Judicial Leader, who shall be a qualified  
5       judge, and who shall lead and oversee the implemen-  
6       tation and ongoing activities of the local Court  
7       Team;

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

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

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

14                      “(B) are committed to working to restruc-  
15                      ture the way the jurisdiction responds to the  
16                      needs of maltreated infants and toddlers; and

17                      “(C) represent a variety of individuals in-  
18                      volved with the care of maltreated infants and  
19                      toddlers, which may include pediatricians, child  
20                      welfare workers, attorneys, court-appointed spe-  
21                      cial advocates, mental health professionals, sub-  
22                      stance abuse treatment providers, Early Head  
23                      Start and child care providers, Court Improve-  
24                      ment Program staff, and any other individuals

1           who are involved in the care of maltreated in-  
2           fants and toddlers.

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

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

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

18           “(3) Organizing the provision of local training  
19 (provided by the National Court Teams Resource  
20 Center) to community members of the jurisdiction in  
21 which the local Court Team is located, including  
22 court officials, child welfare agencies, attorneys,  
23 Guardians Ad Litem, court-appointed special advo-  
24 cates, and other individuals and organizations pro-  
25 viding services to infants and toddlers in foster care.



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

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

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

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

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

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

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

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

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

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

23          “(a) EVALUATION FORM.—Not later than 6 months  
24          after the date of the enactment of this Act, the National  
25          Court Teams Resource Center shall create, and distribute

1 to each local Court Team, an evaluation form that shall  
2 be used to periodically collect any data from local Court  
3 Teams that the National Court Teams Resource Center  
4 determines may be relevant to the reports required by sub-  
5 section (b).

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

11 “(1) compile the data collected in the periodic  
12 evaluation forms completed by each local Court  
13 Team;

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

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

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

21 “(B) reducing the recurrence of abuse and  
22 neglect;

23 “(C) promoting permanent placements of  
24 maltreated infants and toddlers; and

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

4 **“SEC. 276. DEFINITIONS.**

5           “For the purposes of this part:

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

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

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

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

23          “(4) MALTREATED INFANT OR TODDLER.—The  
24          term ‘maltreated infant or toddler’ means any child  
25          three years of age or younger who is the victim of

1 a substantiated case of physical abuse, neglect, med-  
 2 ical neglect, sexual abuse, or emotional abuse.

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

7 “(A) that is dedicated to supporting the  
 8 healthy development and well-being of infants,  
 9 toddlers, and their families; and

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

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

19 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

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

22 (1) in subsection (a)—

23 (A) in the header, by striking “PARTS C  
 24 AND E)” and inserting “PARTS C, E, AND F)”;  
 25 and

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

3 (2) by redesignating subsection (d) as sub-  
4 section (e); and

5 (3) by inserting after subsection (c) the fol-  
6 lowing new subsection:

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

○