

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER NO. A-2014- 3

**ADMINISTRATIVE ORDER ESTABLISHING A CERTIFIED THERAPY DOG
PROGRAM FOR THE FIFTH JUDICIAL CIRCUIT**

WHEREAS, the legislature has enacted section 92.55(4), Florida Statutes (2013), enabling the court to establish conditions it finds just and appropriate when taking the testimony of a child, including the use of a service or therapy animal that has been evaluated and registered according to national standards, in any proceeding involving a sexual offense; and

WHEREAS, the use of therapy dogs to assist the victim witness may be appropriate in other traumatic proceedings including family court or dependency and Termination of Parental Rights proceedings; and

WHEREAS, witnesses, including children and victims, are sometimes required to wait for an extended period of time before testifying in court, and

WHEREAS, it is necessary for the efficient administration of justice to provide specific guidelines for the presence and conduct of animal therapy teams in the Courthouses of the Fifth Judicial Circuit; and

As Chief Judge of this Fifth Judicial Circuit and in accordance with Florida Rule of Judicial Administration 2.215(b)(2), it is now therefore:

ORDERED:

1. If the Office of the State Attorney, the Office of the Public Defender, the Department of Children and Families, the Guardian Ad Litem, or private retained counsel determine that the presence and use of a therapy dog may aid in the testimony of a child/victim/witness at hearing, trial or deposition, that agency or individual may contact an approved therapy dog provider¹ to determine availability of a therapy team and use of one of their therapy dogs.
2. Prior to the trial or hearing date, a timely motion requesting approval for the use of an animal therapy team must be filed and a hearing scheduled with notice to all interested parties, including courthouse security staff. The moving party shall be solely responsible

¹ A list of approved therapy dog providers shall be listed on the Fifth Circuit's website located at www.circuit5.org

for informing all interested parties in any changes in date and/or time of the scheduled trial/hearing including notice to courthouse security.

3. The therapy dog team is permitted into the courthouse for all scheduled court events as well as case related events scheduled by another agency. All appearances must be scheduled and coordinated with courthouse security. Third parties are required to be present at all times with the therapy dog team while the therapy dog team is in the courthouse². A Guardian Ad Litem volunteer or state attorney victim advocate may serve as a third party. All attempts must be made by the third party and the handler to minimize contact between the animal therapy team and the public and other courthouse employees.

4. If the motion is granted the presiding judge may enter any orders deemed appropriate for proper procedures, conduct and use of the dog in their courtroom.

5. The approved provider shall:

a. Ensure that handlers and dogs have completed any and all therapy training and have passed a nationally recognized skills and aptitude test and evaluation by an organization that certifies the team as appropriate to provide animal assisted therapy.

b. Ensure that all handlers/dogs adhere to all policies of their individual certifying organizations and remain current on their certifications

c. Ensure that the dogs have been examined by a Florida veterinarian to ensure good health within the past year and all immunizations, including rabies vaccination, is current.

d. Ensure that every dog is properly registered/licensed in the State of Florida.

e. Carry a minimum of one million dollars (\$1,000,000) in liability insurance with a rider that includes therapy dogs on the premises of a court facility and naming the appropriate county as a named insurer.

f. Provide a copy of the insurance liability insurance rider page to the appropriate county attorney's office.

g. Ensure that all dogs will be leashed at all times with the handler in control of the dog and the leash.

h. Advise handlers to refrain from and all overt displays of emotion during all court proceedings.

i. Ensure that handlers will adhere to their certifying organization's policies regarding grooming and zoonotic disease/parasite control in attempts to reduce allergens and/or parasites.

j. Ensure that handlers will inquire if there are any known allergies or concerns prior to entering an elevator.

² The "third party" should not be a judicial officer or court administration staff. It is inappropriate for the court or court staff to actively participate or interact with the therapy dog in any capacity because the Therapy Dog Program is a support mechanism for victims/witnesses. *See, Florida Code of Judicial Conduct*, Canon 3C (2); Canon3B(5); Cannon3B(7) ; and Cannon 3B(9).

k. Ensure that handlers are aware that their dogs are strictly prohibited from entering any cafeteria or eatery within any courthouse facility.

l. Ensure that handlers are responsible for arriving early enough to exercise the dog to avoid any elimination issues. All dogs must be trained not to eliminate indoors. Outdoor elimination must be cleaned up by the handler using proper disposal methods to control odors, etc.

m. Ensure that any incidents are immediately reported to the Presiding Judge and the Office of the Chief Judge. Reportable incidents include injuries to a person or an animal; situations with a high potential that an injury could have occurred either to a person or an animal, even though no one was hurt at the time; situations with a perception of an accident or injury, and damages to property, including animal elimination in the courthouse facility. The incident report form is attached hereto as Exhibit C.

n. Ensure that all handlers have completed a background check and provide a current copy of same to the Office of the General Counsel whose contact information is available on the Fifth Circuit's website at www.circuit5.org. The information contained therein and specific findings are confidential and the approved provider will be advised in writing only as to whether the specific individual handler is approved or not approved to provide services to the Fifth Judicial Circuit.

o. Ensure that all handlers will immediately report to the Office of the General Counsel any incident that may change the status of their background check, including but not limited to any arrest, conviction or other incident involving law enforcement.

p. Ensure that handlers will maintain the confidentiality of all information including, but not limited to, information pertaining to the individuals testifying and their families, whether written or verbal, received through the scope of interaction with the individual testifying. Handlers will sign an oath of confidentiality (attached hereto as Exhibit A).

q. Ensure that all handlers have received, acknowledged and endorsed an Acknowledgement of Terms and Conditions Sheet, (attached hereto as Exhibit B).

r. Ensure that every therapy dog handler shall carry with and produce their certifying organization identification card and an identification card bearing their association or employment with the approved provider and shall produce same upon request by any court official. Additionally, all therapy dogs shall identify themselves by wearing a dog therapy vest, neck kerchief, or other identifying garment.

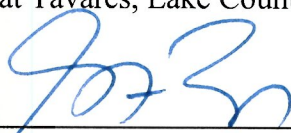
³ The Office of the General Counsel will provide an Agreement of Terms and Conditions sheet for handlers. This Agreement will also be available on the Fifth Circuit's website at www.circuit5.org. The Agreement will reiterate certain terms set forth in this Administrative Order as well as contain an acknowledgement that the handler has read, understands and acknowledges all conditions established in this Administrative Order. This Agreement must be endorsed by every handler who intends to participate in the Fifth Circuit's Therapy Dog Program. The original signed form must be mailed to the Office of the General Counsel whose contact information is located at www.circuit5.org.

6. All approved therapy dog providers and their contact information shall be listed on the Fifth Circuit website at www.circuit5.org. Any organization seeking approval to be added as an approved provider must submit the following information to the Office of the General Counsel:

- a. A written request for approval; and
- b. Company information including years established, present services provided, number of dogs available and presently certified as set forth in this Order, availability of handlers to provide proper services, and any other information which demonstrates the ability to comply with the terms and conditions in this Order; and
- c. Proof of proper insurance as set forth in paragraph 6(e) of this Order.

The Chief Judge shall determine, in his sole discretion, whether an organization is an approved provider for the Fifth Judicial Circuit.

DONE AND ORDERED in Chambers, at Tavares, Lake County, Florida, on this
16 day of JANUARY, 2014.



DON F. BRIGGS
Chief Judge
Fifth Judicial Circuit

**FIFTH JUDICIAL CIRCUIT
THERAPY DOG PROGRAM
OATH OF CONFIDENTIALITY**

A-2014-3-Ehibit A

I, _____ (please print name),
pursuant to Florida Law and the policies and procedures of the Fifth
Judicial Circuit of Florida, do hereby solemnly swear/affirm that I will
maintain the confidentiality of all information, including but not limited
to information pertaining to victim/witnesses and their families,
whether written or verbal, received through the scope of my service as
a handler in the Pet Therapy Program. I understand that all records and
information pertaining to dependency matters are confidential pursuant
to Chapter 39, Florida Statutes and applicable Federal Law.

I hereby do solemnly swear/affirm that I will not disclose to any person
or entity any information or records connected with these cases.

I acknowledge that I have an on-going obligation to ensure that
confidential information is not divulged to anyone not bound to respect
this confidentiality and to ensure that such information is not for
personal use, gain or revealed in any manner that might adversely
affect the interests of the Fifth Judicial Circuit of Florida.

Handler Signature Date

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of ____, 20 ____,
by _____. (name of person acknowledging).

Signature of Notary Public-State of Florida

Name of Notary Typed, Printed, or Stamped

Personally Known _____ OR Produced Identification _____
Type of Identification Produced

**FIFTH JUDICIAL CIRCUIT
THERAPY DOG PROGRAM
ACKNOWLEDGEMENT OF
TERMS AND CONDITIONS**

A-2014-3-Ehibit B

I _____ (print name), (hereinafter “Handler”), hereby acknowledge that I have read, understand and agree to the terms and conditions as outlined in Administrative Order A-2013-55, Administrative Order Establishing a Certified Therapy Dog Program for the Fifth Judicial Circuit.

I agree to be bound by all terms and conditions as set forth in said Administrative Order.

I understand that I am only permitted to bring my dog to the courthouse facilities when properly scheduled to appear for a proceeding or case related event in accordance with the procedures as set forth in Administrative Order A-2013-55.

I understand that any interaction between me and the dog must not be distracting to other individuals or the court proceeding.

I understand that in accordance with the Canons of the Florida Code of Judicial Conduct interaction between the dog and court staff/personnel must be kept to a minimum.

I have completed any and all therapy training and have passed a nationally recognized skills and aptitude test and evaluation by an organization that certifies the team as appropriate to provide animal assisted therapy.

I agree that my dog has been examined by a Florida veterinarian within the past year and all immunizations, including rabies vaccinations, are current.

I agree that my dog is properly registered/licensed in the State of Florida.

I understand that my dog must be leashed at all times and that I must be in control of the dog and the leash.

I understand that I must refrain from all overt displays of emotion and making eye contact with the witness and/or victim during all court proceedings.

I am in compliance with my certifying organization’s policies regarding grooming and zoonotic disease/parasite control in attempts to reduce allergens and/or parasites.

I will inquire if there are any known allergies or concerns prior to entering an elevator.

I am not permitted to enter any cafeteria or eatery located in any courthouse facility with my dog.

**FIFTH JUDICIAL CIRCUIT
THERAPY DOG PROGRAM
ACKNOWLEDGEMENT OF
TERMS AND CONDITIONS**

A-2014-3-Ehibit B

I will arrive with sufficient time prior to any scheduled court proceeding to exercise my dog to avoid any elimination issues and my dog is trained not to eliminate indoors. I will ensure that outdoor elimination will be cleaned up by the handler using proper disposal methods to control odors, etc.

I will ensure that any incidents are immediately reported to the Presiding Judge and the Office of the Chief Judge. I understand that a reportable incident includes injuries to a person or an animal; situations with a high potential that an injury could have occurred either to a person or an animal, even though no one was hurt at the time; situations with a perception of an accident or injury, and damages to property, including animal elimination in the courthouse facility.

I have completed a background check and provided a current copy of same to the Fifth Judicial Circuit, Office of the General Counsel.

I will immediately report to the Office of the General Counsel any incident that may change the status of my background check, including but not limited to any arrest, conviction or other incident involving law enforcement.

I have received, acknowledged and endorsed the Fifth Judicial Circuit's Oath of Confidentiality.

I will carry and produce my certifying organization identification card and an identification card bearing the association or employment with the approved provider and shall produce same upon request by any court official.

I understand that my therapy dog must wear a dog therapy vest, neck kerchief, or other identifying garment at all times while in the courthouse facilities.

Handler

Date

Incident Report Form

A-2014-3 Exhibit C

I, _____ (handler's name) and _____ (Therapy dog's name) were involved in the following incident(s) in _____ (county) at the _____ (name of courthouse) on _____ (date) at approximately ____:____ am/pm:

Please provide specific details and information: (continue on back if necessary)

- Injury to a therapy dog :

- Injury to a person:

- Situation or occurrence with a high potential that an injury could have occurred either to a person or an animal, even though no one was hurt at the time:

- Situation or occurrence with a perception of an accident or injury:

- Damages to property, including animal elimination in the courthouse facility.

- Other:

Continued on next page...

Incident Report Form

A-2014-3 Exhibit C

Name(s) of person(s) involved and contact information:

Name of witness(es) and contact information:

Handler's Signature

Date

Street Address

City

State

Zip Code

Phone Number

*** A copy of this document **must** be presented to the following individuals:

- Office of the Chief Judge
- Office of the Presiding Judge
- Office of the Administrative Judge in the County in which the incident occurred
- Office of the General Counsel
- Office of the Approved Therapy Dog Provider