

Recommendations Regarding the Use of Therapy Dogs in Florida Dependency Courts

1. Introduction

Numerous jurisdictions in Florida have or are beginning to implement animal therapy programs. These recommendations are provided to assist courts in developing procedures and policies to:

- Provide comfort to and relieve stress for all dependency court participants, particularly children;
- Ensure the safety of all court participants, facility occupants and visitors, and dogs; and
- Uphold the administration of justice.

2. Applicability

These procedures are applicable to all dependency court events. Although most recommendations are also applicable to other child advocacy (such as Guardian Ad Litem) or criminal justice system programs (such as forensic investigations), these recommendations are not meant to impact or diminish those successful programs that safely include animals assisting children.

3. Definition of Therapy Dog

Unlike service dogs, therapy dogs are not legally defined. Therapy dogs undergo and pass evaluations according to standards set by national organizations. They have been trained as a team with their owner/handler to provide therapeutic comfort or emotional support to people.

4. Definition of Service Dog

Service dogs are defined under the Americans with Disabilities Act as dogs that are individually trained to do work or perform specific tasks for their owners with disabilities. The work or task a dog has been trained to provide must be directly related to the person's disability.

5. Misrepresentation of Therapy Dogs as Service Dogs

Therapy dogs are generally not service dogs. Under no circumstances should therapy dogs, that are not also service dogs, be represented as service dogs in any manner; and under no circumstances should service dogs be represented as therapy dogs, as service dogs are not trained to be therapy dogs nor provide services for anyone except their owners.

6. Registration of Handler-Animal Therapy Team

All handler-animal therapy teams should be registered with an animal therapy program, such as Pet Partners; Therapy Dogs, Inc.; or Therapy Dogs International, which adheres to the basic team requirements.

7. Basic Team Requirements

- Teams should be evaluated by a licensed/certified evaluator.
- Teams should participate in biannual or more frequent evaluations.
- Teams should be covered by at least \$1 million liability insurance. Note: only volunteers, not accepting a fee for service, are eligible for insurance coverage via their registering therapy animal organization.
- Dogs should be at least one year old.
- Dogs that have been trained to aggressively protect and/or encouraged to bite (such as Schutzhund or hunting activities) should not be eligible.
- Dogs should be examined by a veterinarian to ensure health of dog.

8. Additional Team Requirements

- Handlers should be at least 21 years old.
- Handlers should undergo and pass a background check.
- Handlers should not be employees of the State Court System (SCS). (An opinion from the Office of the State Courts Administrator states that it is probably inappropriate for a SCS employee to participate because it would violate several Canons of the Code of Judicial Conduct.)
- Handlers should sign an oath of confidentiality.
- All animals must wear a collar or harness and be on lead at ALL times and the handler should have control of the animal. A second leash can be used to allow the child to assist the handler, provided the handler has control of the dog. (A facility may in rare circumstances approve an animal to be off-lead, with the written understanding that the facility is assuming liability for off-lead work.)

9. Court Related Skills for Therapy Dogs

Therapy dogs registered with an appropriate organization demonstrate the necessary health, skills, aptitude, and temperament requirements. Additional court-related skills include:

- The ability to adapt to the courthouse facilities, including tolerance of crowds and noise, slick floor surfaces, small rooms and escalators/elevators.
- The ability to maneuver through security screening posts.

10. Court Related Training for Handlers

Court personnel should provide training or disseminate information to handlers on court specific policies and procedures. This can be accomplished through

“classroom” training sessions, home study guide with examinations and/or mock court proceedings. Training topics should include the following:

- Basic information on the dependency court process.
- An understanding and commitment to confidentiality.
- Courthouse facility information, including appropriate entrances, restricted areas in the facility (snack bars, etc.), parking, location of dog walk areas, and whether teams will have freedom of movement in the facility or be escorted.
- The emotional impact of volunteering.
- The necessity of the presence of a third party.
- Points of contact for problem solving and related administrative needs.

11. Presence of Third Party

A handler should never be left alone with a minor child; a third party should always be present. Third parties could be any other adult, including GAL volunteers, bailiffs, a second handler, child’s parent or guardian, or court personnel.

12. Role of Handler

Regardless of the handler’s profession or background, the handler has the sole responsibility for the correct stewarding of the therapy dog and must function as the therapy animal’s advocate at all times. While performing as a member of a therapy animal team, the handler should not act in a dual capacity, such as a child advocate, since other duties may conflict with the handler duties if an emergency arises.

13. When Teams Are Not Appropriate

Therapy dog teams are not appropriate in instances of dog allergies, fear of dogs, or possible transmission of zoonotic diseases. Handlers should be trained to obtain permission prior to approaching individuals to ensure the safety of all people and dogs. Separate waiting areas may be used to provide an appropriate environment for all parties.