

Justice's Best Friend Act

By Alan Abramowitz, Executive Director of the Guardian ad Litem Program

A new law, affectionately termed "Justice's Best Friend Act," will allow abused and neglected children and intellectually disabled persons to have therapy animals and facility dogs present for court proceedings. House Bill 151, sponsored by Representative Jason Brodeur (R-Sanford) and Senator Bill Montford (D-Tallahassee), and co-sponsored by Senator Lauren Book (D-Planations) was signed into law recently by Governor Scott.

At signing, the Governor said, "This legislation will help children and individuals with unique abilities in our state as they face some of the most challenging times in their life. I cannot imagine the emotional toll these terrible circumstances place on our state's most vulnerable populations. The comfort and support provided by therapy animals can make a profound difference in someone's life and I'm proud to sign HB 151 today."

Florida Statutes currently allow therapy animals to be used in proceedings involving sexual offenses. Throughout Florida, however, judges use their discretion to allow victims and witnesses in other kinds of proceedings to use therapy and facility dogs as a way to reduce trauma and facilitate testimony. Numerous judicial circuits report that the use of animals during proceedings has generally had a positive effect and led the courts to be better equipped to make decisions. Scientific research shows that animals significantly reduce physiological and behavioral distress in children, including a lowering of heart rate and blood pressure.

Representative Brodeur said it was an easy decision to sponsor the measure after seeing evidence that therapy animals and facility dogs had measurable clinical benefits. "Having the dogs available for kids creates a more trauma-sensitive courtroom, which not only helps people who have experienced traumatic things but enables victims and witnesses to better recollect facts and recount them to judges. Everybody wins," Brodeur said.

Advocates for the bill testified passionately about their own experiences with therapy animals and facility dogs. Chuck Mitchell, an Animal Law Section Member and manager of the Second Circuit's Courthouse Therapy Dog Program said: "I feel like the best way to describe it is that we help children find their voices – when things are too sad, or too hard, or too scary to say aloud to an adult, children somehow manage to connect with the dog and tell their story." Lobbyist Ron Book, representing the Courthouse Therapy Dog Program said, "Anything that creates a comfort level for someone to walk into court and testify against their perpetrator, their abuser – no matter what the victim's age, no matter what the crime – if a dog gives a victim a comfort level to be brave enough to testify, we need to make that available. We ought to be doing all we can."

While therapy dogs have been successfully used in courts for years, facility dogs were not technically allowed in court. Facility dogs are dogs bred and trained to provide unobtrusive emotional support to children and adults in facility settings. HB 151 aligns Florida Statutes with the current practice of allowing facility dogs in court, establishes definitions for both therapy animals and facility dogs, and requires that they be trained, evaluated and certified pursuant to industry standards.

The bill was a priority for Guardian ad Litem Program which advocates for abused, abandoned and neglected children in dependency proceedings. The Program was grateful for the cooperation of the Animal Law Section whose expertise ensured the bill accurately reflected industry practices. Section members helped make the case for expansion by testifying before legislative committees, including Chuck Mitchell and Stephanie Perkins who appeared alongside Starla, Stephanie's King Charles Springer Spaniel. Other members of the Tallahassee Memorial Hospital Animal Therapy program visited legislators and committee staff - Tanya Cody's border collie, Cosmo, has a standing invitation at numerous legislative committee meetings.

A discussion of the law on dogs in court is not complete, however, without reference to Chuck Mitchell's trailblazing partner, Rikki, whose comfort and compassion of child victims inspired passage of the initial version of the law many years ago. Rikki will be missed. As part of her legacy, and thanks to the work of a great team, more vulnerable witnesses and victims will have the support of therapy animals and facility dogs in court.

