

By the Committee on Criminal Justice and Senator Gutman

307-1962-98

1                                   A bill to be entitled  
2           An act relating to juvenile justice; amending  
3           s. 943.053, F.S.; authorizing the release of  
4           certain juvenile criminal history records to a  
5           private entity under contract with the  
6           Department of Juvenile Justice; providing that  
7           such records remain confidential and exempt  
8           from the public records law; amending s.  
9           984.03, F.S.; revising definitions; providing  
10          for a juvenile probation officer to perform  
11          certain duties formerly performed by an intake  
12          counselor or case manager; amending s. 985.03,  
13          F.S.; revising definitions; providing for a  
14          juvenile probation officer to perform certain  
15          duties formerly performed by an intake  
16          counselor or case manager; providing that  
17          penalties imposed for an escape from detention  
18          or a commitment facility apply to a juvenile  
19          who escapes from a maximum-risk residential  
20          facility; conforming cross-references to  
21          changes made by the act; amending ss. 985.207,  
22          985.208, F.S., relating to conditions for  
23          taking a juvenile into custody and detention;  
24          conforming provisions to changes made by the  
25          act; amending s. 985.209, F.S.; providing for  
26          the Department of Juvenile Justice to establish  
27          juvenile assessment centers; providing for the  
28          centers to be operated through cooperative  
29          agreements with other state agencies; providing  
30          for intake and screening services; amending ss.  
31          985.21, 985.211, F.S.; providing for certain

1 functions formerly considered case-management  
2 functions to be probation functions; amending  
3 s. 985.215, F.S.; conforming terminology to  
4 changes made by the act; requiring that a  
5 juvenile held in secure detention awaiting  
6 dispositional placement meet certain criteria  
7 for detention; amending s. 985.216, F.S.;  
8 deleting a provision authorizing placement of a  
9 juvenile in a secure residential commitment  
10 facility for direct or indirect contempt of  
11 court; amending ss. 985.226, 985.23, F.S.,  
12 relating to criteria for waiver of jurisdiction  
13 and disposition hearings in delinquency cases;  
14 conforming provisions to changes made by the  
15 act; amending s. 985.231, F.S.; providing for  
16 placing a juvenile on home detention with  
17 electronic monitoring if a residential  
18 consequence unit is not available; amending ss.  
19 985.301, 985.304, F.S., relating to civil  
20 citations and community arbitration; conforming  
21 provisions to changes made by the act; deleting  
22 certain references to case-management services;  
23 amending s. 985.307, F.S.; extending the period  
24 during which the Department of Juvenile Justice  
25 is authorized to operate juvenile assignment  
26 centers; amending ss. 985.31, 985.311, F.S.,  
27 relating to serious or habitual juvenile  
28 offenders and intensive residential treatment  
29 programs for offenders less than 13 years of  
30 age; conforming provisions to changes made by  
31 the act; transferring, renumbering, and

1           amending s. 944.401, F.S., relating to the  
2           offense of escaping from secure detention or a  
3           residential commitment facility; conforming a  
4           cross-reference; amending s. 985.406, F.S.,  
5           relating to juvenile justice training  
6           academies; conforming provisions to changes  
7           made by the act; amending s. 985.412, F.S.;  
8           deleting a duty of the department's inspector  
9           general with respect to quality assurance;  
10          amending s. 985.413, F.S.; increasing the  
11          number of consecutive terms that may be served  
12          by a member of a district juvenile justice  
13          board; deleting an exemption from such  
14          limitation; amending s. 985.414, F.S.;  
15          specifying the parties to be included in an  
16          interagency agreement for developing a county  
17          juvenile justice plan; amending s. 985.415,  
18          F.S.; revising eligibility requirements for a  
19          Community Juvenile Justice Partnership Grant;  
20          providing effective dates.

21  
22          Be It Enacted by the Legislature of the State of Florida:  
23

24                 Section 1. Subsection (8) is added to section 943.053,  
25          Florida Statutes, to read:

26                 943.053 Dissemination of criminal justice information;  
27          fees.--

28                 (8) Notwithstanding s. 943.0525 or any user agreement  
29          adopted under s. 943.0525, and notwithstanding the  
30          confidentiality of sealed records provided in s. 943.059, the  
31          Department of Juvenile Justice and any other state or local

1 criminal justice agency may provide a copy of the Florida  
2 criminal history records of a juvenile offender currently or  
3 formerly detained or housed in a contracted juvenile  
4 assessment center or detention facility, or treated through a  
5 treatment program, or the Florida criminal history records of  
6 an employee or other individual who has access to a contracted  
7 juvenile assessment center, detention facility, or treatment  
8 program, only to an entity under direct contract with the  
9 Department of Juvenile Justice to operate a juvenile  
10 assessment center, detention facility, or treatment program.  
11 The criminal justice agency may assess a charge for providing  
12 the records as provided in chapter 119. A sealed record  
13 received by a private entity under this subsection remains  
14 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
15 of the State Constitution. Information provided under this  
16 subsection may be used only for the criminal justice purpose  
17 for which it was requested and may not be further  
18 disseminated.

19           Section 2. Paragraph (c) of subsection (29), paragraph  
20 (c) of subsection (30), and subsections (31), (32), and (33)  
21 of section 984.03, Florida Statutes, are amended to read:

22           984.03 Definitions.--When used in this chapter, the  
23 term:

24           (29) "Habitually truant" means that:

25           (c) A school representative, designated according to  
26 school board policy, and a juvenile probation officer ~~an~~  
27 ~~intake counselor or case manager~~ of the Department of Juvenile  
28 Justice have jointly investigated the truancy problem or, if  
29 that was not feasible, have performed separate investigations  
30 to identify conditions that ~~which~~ may be contributing to the  
31 truant behavior; and if, after a joint staffing of the case to

1 determine the necessity for services, such services were  
2 determined to be needed, the persons who performed the  
3 investigations met jointly with the family and child to  
4 discuss any referral to appropriate community agencies for  
5 economic services, family or individual counseling, or other  
6 services required to remedy the conditions that are  
7 contributing to the truant behavior.

8 (30) "Intake" means the initial acceptance and  
9 screening by the Department of Juvenile Justice of a complaint  
10 or a law enforcement report or probable cause affidavit of  
11 delinquency, family in need of services, or child in need of  
12 services to determine the recommendation to be taken in the  
13 best interests of the child, the family, and the community.  
14 The emphasis of intake is on diversion and the least  
15 restrictive available services. Consequently, intake includes  
16 such alternatives as:

17 (c) The recommendation by the juvenile probation  
18 ~~officer intake counselor or case manager~~ of judicial handling  
19 when appropriate and warranted.

20 ~~(31) "Intake counselor" or "case manager" means the~~  
21 ~~authorized agent of the Department of Juvenile Justice~~  
22 ~~performing the intake or case management function for a child~~  
23 ~~alleged to be delinquent or in need of services, or from a~~  
24 ~~family in need of services.~~

25 (31)~~(32)~~ "Judge" means the circuit judge exercising  
26 jurisdiction pursuant to this chapter.

27 (32)~~(33)~~ "Juvenile justice continuum" includes, but is  
28 not limited to, delinquency prevention programs and services  
29 designed for the purpose of preventing or reducing delinquent  
30 acts, including criminal activity by youth gangs and juvenile  
31 arrests, as well as programs and services targeted at children

1 who have committed delinquent acts, and children who have  
2 previously been committed to residential treatment programs  
3 for delinquents. The term includes  
4 children-in-need-of-services and families-in-need-of-services  
5 programs; aftercare and reentry services; substance abuse and  
6 mental health programs; educational and vocational programs;  
7 recreational programs; community services programs; community  
8 service work programs; and alternative dispute resolution  
9 programs serving children at risk of delinquency and their  
10 families, whether offered or delivered by state or local  
11 governmental entities, public or private for-profit or  
12 not-for-profit organizations, or religious or charitable  
13 organizations.

14 (33) "Juvenile probation officer" means the authorized  
15 agent of the department who performs and directs intake,  
16 assessment, probation or aftercare, and other related  
17 services.

18 Section 3. Paragraph (c) of subsection (27), paragraph  
19 (c) of subsection (29), and subsections (30), (31), (32),  
20 (45), and (55) of section 985.03, Florida Statutes, are  
21 amended to read:

22 985.03 Definitions.--When used in this chapter, the  
23 term:

24 (27) "Habitually truant" means that:

25 (c) A school representative, designated according to  
26 school board policy, and a juvenile probation officer ~~an~~  
27 ~~intake counselor or case manager~~ of the Department of Juvenile  
28 Justice have jointly investigated the truancy problem or, if  
29 that was not feasible, have performed separate investigations  
30 to identify conditions that could ~~which may~~ be contributing to  
31 the truant behavior; and if, after a joint staffing of the

1 case to determine the necessity for services, such services  
2 were determined to be needed, the persons who performed the  
3 investigations met jointly with the family and child to  
4 discuss any referral to appropriate community agencies for  
5 economic services, family or individual counseling, or other  
6 services required to remedy the conditions that are  
7 contributing to the truant behavior.

8 (29) "Intake" means the initial acceptance and  
9 screening by the Department of Juvenile Justice of a complaint  
10 or a law enforcement report or probable cause affidavit of  
11 delinquency, family in need of services, or child in need of  
12 services to determine the recommendation to be taken in the  
13 best interests of the child, the family, and the community.  
14 The emphasis of intake is on diversion and the least  
15 restrictive available services. Consequently, intake includes  
16 such alternatives as:

17 (c) The recommendation by the juvenile probation  
18 ~~officer intake counselor or case manager~~ of judicial handling  
19 when appropriate and warranted.

20 ~~(30) "Intake counselor" or "case manager" means the~~  
21 ~~authorized agent of the Department of Juvenile Justice~~  
22 ~~performing the intake or case management function for a child~~  
23 ~~alleged to be delinquent.~~

24 (30)~~(31)~~ "Judge" means the circuit judge exercising  
25 jurisdiction pursuant to this chapter.

26 (31)~~(32)~~ "Juvenile justice continuum" includes, but is  
27 not limited to, delinquency prevention programs and services  
28 designed for the purpose of preventing or reducing delinquent  
29 acts, including criminal activity by youth gangs, and juvenile  
30 arrests, as well as programs and services targeted at children  
31 who have committed delinquent acts, and children who have

1 previously been committed to residential treatment programs  
2 for delinquents. The term includes  
3 children-in-need-of-services and families-in-need-of-services  
4 programs; aftercare and reentry services; substance abuse and  
5 mental health programs; educational and vocational programs;  
6 recreational programs; community services programs; community  
7 service work programs; and alternative dispute resolution  
8 programs serving children at risk of delinquency and their  
9 families, whether offered or delivered by state or local  
10 governmental entities, public or private for-profit or  
11 not-for-profit organizations, or religious or charitable  
12 organizations.

13 (32) "Juvenile probation officer" means the authorized  
14 agent of the Department of Juvenile Justice who performs the  
15 intake or case-management function for a child alleged to be  
16 delinquent.

17 (45) "Restrictiveness level" means the level of  
18 custody provided by programs that service the custody and care  
19 needs of committed children. There shall be five  
20 restrictiveness levels:

21 (a) Minimum-risk nonresidential.--Youth assessed and  
22 classified for placement in programs at this restrictiveness  
23 level represent a minimum risk to themselves and public safety  
24 and do not require placement and services in residential  
25 settings. Programs or program models in this restrictiveness  
26 level include: community counselor supervision programs,  
27 special intensive group programs, nonresidential marine  
28 programs, nonresidential training and rehabilitation centers,  
29 and other local community nonresidential programs.

30 (b) Low-risk residential.--Youth assessed and  
31 classified for placement in programs at this level represent a



1 low risk to themselves and public safety and do require  
2 placement and services in residential settings. Programs or  
3 program models in this restrictiveness level include: Short  
4 Term Offender Programs (STOP), group treatment homes, family  
5 group homes, proctor homes, and Short Term Environmental  
6 Programs (STEP). Section 985.3141 ~~944.401~~ applies to children  
7 placed in programs in this restrictiveness level.

8 (c) Moderate-risk residential.--Youth assessed and  
9 classified for placement in programs in this restrictiveness  
10 level represent a moderate risk to public safety. Programs  
11 are designed for children who require close supervision but do  
12 not need placement in facilities that are physically secure.  
13 Programs in the moderate-risk residential restrictiveness  
14 level provide 24-hour awake supervision, custody, care, and  
15 treatment. Upon specific appropriation, a facility at this  
16 restrictiveness level may have a security fence around the  
17 perimeter of the grounds of the facility and may be  
18 hardware-secure or staff-secure. The staff at a facility at  
19 this restrictiveness level may seclude a child who is a  
20 physical threat to himself or others. Mechanical restraint  
21 may also be used when necessary. Programs or program models in  
22 this restrictiveness level include: halfway houses, START  
23 Centers, the Dade Intensive Control Program, licensed  
24 substance abuse residential programs, and moderate-term  
25 wilderness programs designed for committed delinquent youth  
26 that are operated or contracted by the Department of Juvenile  
27 Justice. Section 985.3141 ~~944.401~~ applies to children in  
28 moderate-risk residential programs.

29 (d) High-risk residential.--Youth assessed and  
30 classified for this level of placement require close  
31 supervision in a structured residential setting that provides

1 24-hour-per-day secure custody, care, and supervision.  
2 Placement in programs in this level is prompted by a concern  
3 for public safety that outweighs placement in programs at  
4 lower restrictiveness levels. Programs or program models in  
5 this level are staff-secure or physically secure residential  
6 commitment facilities and include: training schools, intensive  
7 halfway houses, residential sex offender programs, long-term  
8 wilderness programs designed exclusively for committed  
9 delinquent youth, boot camps, secure halfway house programs,  
10 and the Broward Control Treatment Center. Section 985.3141  
11 ~~944.401~~ applies to children placed in programs in this  
12 restrictiveness level.

13 (e) Maximum-risk residential.--Youth assessed and  
14 classified for this level of placement require close  
15 supervision in a maximum security residential setting that  
16 provides 24-hour-per-day secure custody, care, and  
17 supervision. Placement in a program in this level is prompted  
18 by a demonstrated need to protect the public. Programs or  
19 program models in this level are maximum-secure-custody,  
20 long-term residential commitment facilities that are intended  
21 to provide a moderate overlay of educational, vocational, and  
22 behavioral-modification services. Section 985.3141 applies to  
23 children placed in programs in this restrictiveness level.~~and~~  
24 ~~include programs for serious and habitual juvenile offenders~~  
25 ~~and other maximum-security program models authorized by the~~  
26 ~~Legislature and established by rule.~~

27 (55) "Temporary release" means the terms and  
28 conditions under which a child is temporarily released from a  
29 commitment facility or allowed home visits. If the temporary  
30 release is from a moderate-risk residential facility, a  
31 high-risk residential facility, or a maximum-risk residential

1 facility, the terms and conditions of the temporary release  
2 must be approved by the child, the court, and the facility.  
3 The term includes periods during which the child is supervised  
4 pursuant to a reentry program or an aftercare program or a  
5 period during which the child is supervised by a juvenile  
6 probation officer ~~case manager~~ or other nonresidential staff  
7 of the department or staff employed by an entity under  
8 contract with the department. A child placed in a  
9 postcommitment supervision ~~community control~~ program by order  
10 of the court is not considered to be on temporary release and  
11 is not subject to the terms and conditions of temporary  
12 release.

13 Section 4. Subsection (2) of section 985.207, Florida  
14 Statutes, is amended to read:

15 985.207 Taking a child into custody.--

16 (2) When a child is taken into custody as provided in  
17 this section, the person taking the child into custody shall  
18 attempt to notify the parent, guardian, or legal custodian of  
19 the child. The person taking the child into custody shall  
20 continue such attempt until the parent, guardian, or legal  
21 custodian of the child is notified or the child is delivered  
22 to a juvenile probation officer ~~an intake counselor~~ pursuant  
23 to s. 985.21, whichever occurs first. If the child is  
24 delivered to a juvenile probation officer ~~an intake counselor~~  
25 before the parent, guardian, or legal custodian is notified,  
26 the juvenile probation officer ~~intake counselor or case~~  
27 ~~manager~~ shall continue the attempt to notify until the parent,  
28 guardian, or legal custodian of the child is notified.

29 Section 5. Subsection (2) of section 985.208, Florida  
30 Statutes, is amended to read:

31

1           985.208 Detention of furloughed child or escapee on  
2 authority of the department.--

3           (2) Any sheriff or other law enforcement officer, upon  
4 the request of the secretary of the department or duly  
5 authorized agent, shall take a child who has escaped or  
6 absconded from a department facility for committed delinquent  
7 children, or from being lawfully transported thereto or  
8 therefrom, into custody and deliver the child to the  
9 appropriate juvenile probation officer ~~intake counselor or~~  
10 ~~case manager~~ of the department.

11           Section 6. Section 985.209, Florida Statutes, is  
12 amended to read:

13           985.209 Juvenile ~~justice~~ assessment centers.--

14           (1) As used in this section, the term "center" means a  
15 juvenile assessment center comprising community operated  
16 facilities and programs that provide colocated central intake  
17 and screening services for youth referred to the Department of  
18 Juvenile Justice.

19           (2) The department shall work cooperatively with  
20 substance abuse programs, mental health providers, law  
21 enforcement agencies, schools, health service providers, the  
22 public defenders, and other agencies serving youth to  
23 establish juvenile assessment centers. Each current and newly  
24 established center shall be developed and modified through the  
25 local initiative of community agencies and local governments  
26 and shall provide a broad array of youth-related services  
27 appropriate to the needs of the community where the center is  
28 located.

29           (3) Each center shall be managed and governed by the  
30 participating agencies, consistent with respective statutory  
31 requirements of each agency, through an advisory committee and

1 interagency agreements established with participating  
2 entities. The advisory committee shall guide the center's  
3 operation and ensure that appropriate and relevant agencies  
4 are collaboratively participating in and providing services at  
5 the center. Each participating state agency shall have  
6 operational oversight of only those individual service  
7 components located and provided at the center for which the  
8 state agency has statutory authority and responsibility.

9       (4) Each center shall provide colocated central intake  
10 and screening services for youth referred to the department.  
11 The center shall provide sufficient services needed to  
12 facilitate the initial screening of and case processing for  
13 youth, including, at a minimum, delinquency intake; positive  
14 identification of the youth; detention admission screening;  
15 needs assessment; substance abuse screening and assessments;  
16 physical and mental health screening; and diagnostic testing  
17 as appropriate. The department shall provide sufficient staff  
18 and resources at a center to provide detention screening and  
19 intake services.

20       (5) Each center must provide for the coordination and  
21 sharing of information among the participating agencies to  
22 facilitate the screening of and case processing for youth  
23 referred to the department.~~The department shall work~~  
24 ~~cooperatively with substance abuse facilities, mental health~~  
25 ~~providers, law enforcement agencies, schools, health services~~  
26 ~~providers, and other entities involved with children to~~  
27 ~~establish a juvenile justice assessment center in each service~~  
28 ~~district. The assessment center shall serve as central intake~~  
29 ~~and screening for children referred to the department. Each~~  
30 ~~juvenile justice assessment center shall provide services~~  
31 ~~needed to facilitate initial screening of children, including~~

1 ~~intake and needs assessment, substance abuse screening,~~  
2 ~~physical and mental health screening, and diagnostic testing,~~  
3 ~~as appropriate. The entities involved in the assessment center~~  
4 ~~shall make the resources for the provision of these services~~  
5 ~~available at the same level to which they are available to the~~  
6 ~~general public.~~

7 Section 7. Section 985.21, Florida Statutes, is  
8 amended to read:

9 985.21 Intake and case management.--

10 (1)(a) During the intake process, the juvenile  
11 probation officer ~~intake counselor~~ shall screen each child to  
12 determine:

13 1. Appropriateness for release, referral to a  
14 diversionary program including, but not limited to, a  
15 teen-court program, referral for community arbitration, or  
16 referral to some other program or agency for the purpose of  
17 nonofficial or nonjudicial handling.

18 2. The presence of medical, psychiatric,  
19 psychological, substance abuse, educational problems, or other  
20 conditions that may have caused the child to come to the  
21 attention of law enforcement or the Department of Juvenile  
22 Justice. In cases where such conditions are identified, and a  
23 nonjudicial handling of the case is chosen, the juvenile  
24 probation officer ~~intake counselor~~ shall attempt to refer the  
25 child to a program or agency, together with all available and  
26 relevant assessment information concerning the child's  
27 precipitating condition.

28 3. The Department of Juvenile Justice shall develop a  
29 case management system whereby a child brought into intake is  
30 assigned a juvenile probation officer ~~case manager~~ if the  
31 child was not released, referred to a diversionary program,

1 referred for community arbitration, or referred to some other  
2 program or agency for the purpose of nonofficial or  
3 nonjudicial handling, and shall make every reasonable effort  
4 to provide continuity of case management for the child;  
5 provided, however, that case management for children committed  
6 to residential programs may be transferred as provided in s.  
7 985.316.

8 4. In addition to duties specified in other sections  
9 and through departmental rules, the assigned juvenile  
10 probation officer ~~case manager~~ shall be responsible for the  
11 following:

12 a. Ensuring that a risk assessment instrument  
13 establishing the child's eligibility for detention has been  
14 accurately completed and that the appropriate recommendation  
15 was made to the court.

16 b. Inquiring as to whether the child understands his  
17 or her rights to counsel and against self-incrimination.

18 c. Performing the preliminary screening and making  
19 referrals for comprehensive assessment regarding the child's  
20 need for substance abuse treatment services, mental health  
21 services, retardation services, literacy services, or other  
22 educational or treatment services.

23 d. Coordinating the multidisciplinary assessment when  
24 required, which includes the classification and placement  
25 process that determines the child's priority needs, risk  
26 classification, and treatment plan. When sufficient evidence  
27 exists to warrant a comprehensive assessment and the child  
28 fails to voluntarily participate in the assessment efforts, it  
29 is the responsibility of the juvenile probation officer ~~case~~  
30 ~~manager~~ to inform the court of the need for the assessment and  
31 the refusal of the child to participate in such assessment.

1 This assessment, classification, and placement process shall  
2 develop into the predisposition report.

3 e. Making recommendations for services and  
4 facilitating the delivery of those services to the child,  
5 including any mental health services, educational services,  
6 family counseling services, family assistance services, and  
7 substance abuse services. The juvenile probation officer  
8 ~~delinquency case manager~~ shall serve as the primary case  
9 manager for the purpose of managing, coordinating, and  
10 monitoring the services provided to the child. Each program  
11 administrator within the Department of Children and Family  
12 Services shall cooperate with the primary case manager in  
13 carrying out the duties and responsibilities described in this  
14 section.

15  
16 The Department of Juvenile Justice shall annually advise the  
17 Legislature and the Executive Office of the Governor of the  
18 resources needed in order for the case management system to  
19 maintain a staff-to-client ratio that is consistent with  
20 accepted standards and allows the necessary supervision and  
21 services for each child. The intake process and case  
22 management system shall provide a comprehensive approach to  
23 assessing the child's needs, relative risks, and most  
24 appropriate handling, and shall be based on an individualized  
25 treatment plan.

26 (b) The intake and case management system shall  
27 facilitate consistency in the recommended placement of each  
28 child, and in the assessment, classification, and placement  
29 process, with the following purposes:

30 1. An individualized, multidisciplinary assessment  
31 process that identifies the priority needs of each individual



1 child for rehabilitation and treatment and identifies any  
2 needs of the child's parents or guardians for services that  
3 would enhance their ability to provide adequate support,  
4 guidance, and supervision for the child. This process shall  
5 begin with the detention risk assessment instrument and  
6 decision, shall include the intake preliminary screening and  
7 comprehensive assessment for substance abuse treatment  
8 services, mental health services, retardation services,  
9 literacy services, and other educational and treatment  
10 services as components, additional assessment of the child's  
11 treatment needs, and classification regarding the child's  
12 risks to the community and, for a serious or habitual  
13 delinquent child, shall include the assessment for placement  
14 in a serious or habitual delinquent children program pursuant  
15 to s. 985.31. The completed multidisciplinary assessment  
16 process shall result in the predisposition report.

17           2. A classification system that assigns a relative  
18 risk to the child and the community based upon assessments  
19 including the detention risk assessment results when available  
20 to classify the child's risk as it relates to placement and  
21 supervision alternatives.

22           3. An admissions process that facilitates for each  
23 child the utilization of the treatment plan and setting most  
24 appropriate to meet the child's programmatic needs and provide  
25 the minimum program security needed to ensure public safety.

26           (2) The intake process shall be performed by the  
27 department through a case management system. The purpose of  
28 the intake process is to assess the child's needs and risks  
29 and to determine the most appropriate treatment plan and  
30 setting for the child's programmatic needs and risks. The  
31 intake process shall result in choosing the most appropriate

1 services through a balancing of the interests and needs of the  
2 child with those of the family and the public. The juvenile  
3 probation officer ~~intake counselor or case manager~~ is  
4 responsible for making informed decisions and recommendations  
5 to other agencies, the state attorney, and the courts so that  
6 the child and family may receive the least intrusive service  
7 alternative throughout the judicial process. The department  
8 shall establish uniform procedures for the juvenile probation  
9 officer ~~intake counselor or case manager~~ to provide, prior to  
10 the filing of a petition or as soon as possible thereafter and  
11 prior to a disposition hearing, a preliminary screening of the  
12 child and family for substance abuse and mental health  
13 services.

14 (3) A report, affidavit, or complaint alleging that a  
15 child has committed a delinquent act or violation of law shall  
16 be made to the intake office operating in the county in which  
17 the child is found or in which the delinquent act or violation  
18 of law occurred. Any person or agency having knowledge of the  
19 facts may make such a written report, affidavit, or complaint  
20 and shall furnish to the intake office facts sufficient to  
21 establish the jurisdiction of the court and to support a  
22 finding by the court that the child has committed a delinquent  
23 act or violation of law.

24 (4) The juvenile probation officer ~~intake counselor or~~  
25 ~~case manager~~ shall make a preliminary determination as to  
26 whether the report, affidavit, or complaint is complete,  
27 consulting with the state attorney as may be necessary. In any  
28 case where the juvenile probation officer ~~intake counselor or~~  
29 ~~case manager~~ or the state attorney finds that the report,  
30 affidavit, or complaint is insufficient by the standards for a  
31 probable cause affidavit, the juvenile probation officer

1 ~~intake counselor or case manager~~ or state attorney shall  
2 return the report, affidavit, or complaint, without delay, to  
3 the person or agency originating the report, affidavit, or  
4 complaint or having knowledge of the facts or to the  
5 appropriate law enforcement agency having investigative  
6 jurisdiction of the offense, and shall request, and the person  
7 or agency shall promptly furnish, additional information in  
8 order to comply with the standards for a probable cause  
9 affidavit.

10 (a) The juvenile probation officer ~~intake counselor or~~  
11 ~~case manager~~, upon determining that the report, affidavit, or  
12 complaint is complete, may, in the case of a child who is  
13 alleged to have committed a delinquent act or violation of  
14 law, recommend that the state attorney file a petition of  
15 delinquency or an information or seek an indictment by the  
16 grand jury. However, such a recommendation is not a  
17 prerequisite for any action taken by the state attorney.

18 (b) The juvenile probation officer ~~intake counselor or~~  
19 ~~case manager~~, upon determining that the report, affidavit, or  
20 complaint is complete, pursuant to uniform procedures  
21 established by the department, shall:

22 1. When indicated by the preliminary screening,  
23 provide for a comprehensive assessment of the child and family  
24 for substance abuse problems, using community-based licensed  
25 programs with clinical expertise and experience in the  
26 assessment of substance abuse problems.

27 2. When indicated by the preliminary screening,  
28 provide for a comprehensive assessment of the child and family  
29 for mental health problems, using community-based  
30 psychologists, psychiatrists, or other licensed mental health  
31

1 professionals with clinical expertise and experience in the  
2 assessment of mental health problems.  
3  
4 When indicated by the comprehensive assessment, the department  
5 is authorized to contract within appropriated funds for  
6 services with a local nonprofit community mental health or  
7 substance abuse agency licensed or authorized under chapter  
8 394, or chapter 397, or other authorized nonprofit social  
9 service agency providing related services. The determination  
10 of mental health or substance abuse services shall be  
11 conducted in coordination with existing programs providing  
12 mental health or substance abuse services in conjunction with  
13 the intake office. Client information resulting from the  
14 screening and evaluation shall be documented pursuant to rules  
15 established by the department and shall serve to assist the  
16 juvenile probation officer ~~intake counselor or case manager~~ in  
17 providing the most appropriate services and recommendations in  
18 the least intrusive manner. Such client information shall be  
19 used in the multidisciplinary assessment and classification of  
20 the child, but such information, and any information obtained  
21 directly or indirectly through the assessment process, is  
22 inadmissible in court prior to the disposition hearing, unless  
23 the child's written consent is obtained. At the disposition  
24 hearing, documented client information shall serve to assist  
25 the court in making the most appropriate custody,  
26 adjudicatory, and dispositional decision. If the screening and  
27 assessment indicate that the interest of the child and the  
28 public will be best served thereby, the juvenile probation  
29 officer ~~intake counselor or case manager~~, with the approval of  
30 the state attorney, may refer the child for care, diagnostic  
31 and evaluation services, substance abuse treatment services,

1 mental health services, retardation services, a diversionary  
2 or arbitration or mediation program, community service work,  
3 or other programs or treatment services voluntarily accepted  
4 by the child and the child's parents or legal guardians. The  
5 victim, if any, and the law enforcement agency which  
6 investigated the offense shall be notified immediately by the  
7 state attorney of the action taken under this paragraph.  
8 Whenever a child volunteers to participate in any work program  
9 under this chapter or volunteers to work in a specified state,  
10 county, municipal, or community service organization  
11 supervised work program or to work for the victim, the child  
12 shall be considered an employee of the state for the purposes  
13 of liability. In determining the child's average weekly wage,  
14 unless otherwise determined by a specific funding program, all  
15 remuneration received from the employer is considered a  
16 gratuity, and the child is not entitled to any benefits  
17 otherwise payable under s. 440.15, regardless of whether the  
18 child may be receiving wages and remuneration from other  
19 employment with another employer and regardless of the child's  
20 future wage-earning capacity.

21 (c) The juvenile probation officer ~~intake counselor or~~  
22 ~~case manager~~, upon determining that the report, affidavit, or  
23 complaint complies with the standards of a probable cause  
24 affidavit and that the interest of the child and the public  
25 will be best served, may recommend that a delinquency petition  
26 not be filed. If such a recommendation is made, the juvenile  
27 probation officer ~~intake counselor or case manager~~ shall  
28 advise in writing the person or agency making the report,  
29 affidavit, or complaint, the victim, if any, and the law  
30 enforcement agency having investigative jurisdiction of the  
31 offense of the recommendation and the reasons therefor; and

1 that the person or agency may submit, within 10 days after the  
2 receipt of such notice, the report, affidavit, or complaint to  
3 the state attorney for special review. The state attorney,  
4 upon receiving a request for special review, shall consider  
5 the facts presented by the report, affidavit, or complaint,  
6 and by the juvenile probation officer ~~intake counselor or case~~  
7 ~~manager~~ who made the recommendation that no petition be filed,  
8 before making a final decision as to whether a petition or  
9 information should or should not be filed.

10 (d) In all cases in which the child is alleged to have  
11 committed a violation of law or delinquent act and is not  
12 detained, the juvenile probation officer ~~intake counselor or~~  
13 ~~case manager~~ shall submit a written report to the state  
14 attorney, including the original report, complaint, or  
15 affidavit, or a copy thereof, including a copy of the child's  
16 prior juvenile record, within 20 days after the date the child  
17 is taken into custody. In cases in which the child is in  
18 detention, the intake office report must be submitted within  
19 24 hours after the child is placed into detention. The intake  
20 office report must recommend either that a petition or  
21 information be filed or that no petition or information be  
22 filed, and must set forth reasons for the recommendation.

23 (e) The state attorney may in all cases take action  
24 independent of the action or lack of action of the juvenile  
25 probation officer ~~intake counselor or case manager~~, and shall  
26 determine the action which is in the best interest of the  
27 public and the child. If the child meets the criteria  
28 requiring prosecution as an adult pursuant to s. 985.226, the  
29 state attorney shall request the court to transfer and certify  
30 the child for prosecution as an adult or shall provide written  
31

1 reasons to the court for not making such request. In all other  
2 cases, the state attorney may:

- 3 1. File a petition for dependency;
- 4 2. File a petition pursuant to chapter 984;
- 5 3. File a petition for delinquency;
- 6 4. File a petition for delinquency with a motion to  
7 transfer and certify the child for prosecution as an adult;
- 8 5. File an information pursuant to s. 985.227;
- 9 6. Refer the case to a grand jury;
- 10 7. Refer the child to a diversionary, pretrial  
11 intervention, arbitration, or mediation program, or to some  
12 other treatment or care program if such program commitment is  
13 voluntarily accepted by the child or the child's parents or  
14 legal guardians; or
- 15 8. Decline to file.

16 (f) In cases in which a delinquency report, affidavit,  
17 or complaint is filed by a law enforcement agency and the  
18 state attorney determines not to file a petition, the state  
19 attorney shall advise the clerk of the circuit court in  
20 writing that no petition will be filed thereon.

21 (5) Prior to requesting that a delinquency petition be  
22 filed or prior to filing a dependency petition, the juvenile  
23 probation intake ~~intake~~ officer may request the parent or legal  
24 guardian of the child to attend a course of instruction in  
25 parenting skills, training in conflict resolution, and the  
26 practice of nonviolence; to accept counseling; or to receive  
27 other assistance from any agency in the community which  
28 notifies the clerk of the court of the availability of its  
29 services. Where appropriate, the juvenile probation intake  
30 officer shall request both parents or guardians to receive  
31 such parental assistance. The juvenile probation intake

1 officer may, in determining whether to request that a  
2 delinquency petition be filed, take into consideration the  
3 willingness of the parent or legal guardian to comply with  
4 such request.

5 Section 8. Subsections (3) and (4) and paragraph (c)  
6 of subsection (6) of section 985.211, Florida Statutes, are  
7 amended to read:

8 985.211 Release or delivery from custody.--

9 (3) If the child is released, the person taking the  
10 child into custody shall make a written report or probable  
11 cause affidavit to the appropriate juvenile probation officer  
12 ~~intake counselor or case manager~~ within 3 days, stating the  
13 facts and the reason for taking the child into custody. Such  
14 written report or probable cause affidavit shall:

15 (a) Identify the child, the parents, guardian, or  
16 legal custodian, and the person to whom the child was  
17 released.

18 (b) Contain sufficient information to establish the  
19 jurisdiction of the court and to make a prima facie showing  
20 that the child has committed a violation of law or a  
21 delinquent act.

22 (4) A person taking a child into custody who  
23 determines, pursuant to s. 985.215, that the child should be  
24 detained or released to a shelter designated by the  
25 department, shall make a reasonable effort to immediately  
26 notify the parent, guardian, or legal custodian of the child  
27 and shall, without unreasonable delay, deliver the child to  
28 the appropriate juvenile probation officer ~~intake counselor or~~  
29 ~~case manager~~ or, if the court has so ordered pursuant to s.  
30 985.215, to a detention center or facility. Upon delivery of  
31 the child, the person taking the child into custody shall make



1 a written report or probable cause affidavit to the  
2 appropriate juvenile probation officer ~~intake counselor or~~  
3 ~~case manager~~. Such written report or probable cause affidavit  
4 must:

5 (a) Identify the child and, if known, the parents,  
6 guardian, or legal custodian.

7 (b) Establish that the child was legally taken into  
8 custody, with sufficient information to establish the  
9 jurisdiction of the court and to make a prima facie showing  
10 that the child has committed a violation of law.

11 (6)

12 (c) Each letter of recommendation, written notice,  
13 report, or other paper required by law pertaining to the case  
14 shall bear the uniform case number of the case, and a copy  
15 shall be filed with the clerk of the circuit court by the  
16 issuing agency. The issuing agency shall furnish copies to  
17 the juvenile probation officer ~~intake counselor or case~~  
18 ~~manager~~ and the state attorney.

19 Section 9. Subsections (1) and (2) and paragraph (a)  
20 of subsection (10) of section 985.215, Florida Statutes, are  
21 amended to read:

22 985.215 Detention.--

23 (1) The juvenile probation officer ~~intake counselor or~~  
24 ~~case manager~~ shall receive custody of a child who has been  
25 taken into custody from the law enforcement agency and shall  
26 review the facts in the law enforcement report or probable  
27 cause affidavit and make such further inquiry as may be  
28 necessary to determine whether detention care is required.

29 (a) During the period of time from the taking of the  
30 child into custody to the date of the detention hearing, the  
31 initial decision as to the child's placement into secure

1 detention care, nonsecure detention care, or home detention  
2 care shall be made by the juvenile probation officer intake  
3 ~~counselor or case manager~~ pursuant to ss. 985.213 and 985.214.

4 (b) The juvenile probation officer intake ~~counselor or~~  
5 ~~case manager~~ shall base the decision whether or not to place  
6 the child into secure detention care, home detention care, or  
7 nonsecure detention care on an assessment of risk in  
8 accordance with the risk assessment instrument and procedures  
9 developed by the Department of Juvenile Justice under s.  
10 985.213.

11 (c) If the juvenile probation officer intake ~~counselor~~  
12 ~~or case manager~~ determines that a child who is eligible for  
13 detention based upon the results of the risk assessment  
14 instrument should be released, the juvenile probation officer  
15 ~~intake counselor or case manager~~ shall contact the state  
16 attorney, who may authorize release. If detention is not  
17 authorized, the child may be released by the juvenile  
18 probation officer intake ~~counselor or case manager~~ in  
19 accordance with s. 985.211.

20  
21 Under no circumstances shall the juvenile probation officer  
22 ~~intake counselor or case manager~~ or the state attorney or law  
23 enforcement officer authorize the detention of any child in a  
24 jail or other facility intended or used for the detention of  
25 adults, without an order of the court.

26 (2) Subject to the provisions of subsection (1), a  
27 child taken into custody and placed into nonsecure or home  
28 detention care or detained in secure detention care prior to a  
29 detention hearing may continue to be detained by the court if:

30 (a) The child is alleged to be an escapee or an  
31 absconder from a commitment program, a community control

1 program, furlough, or aftercare supervision, or is alleged to  
2 have escaped while being lawfully transported to or from such  
3 program or supervision.

4 (b) The child is wanted in another jurisdiction for an  
5 offense which, if committed by an adult, would be a felony.

6 (c) The child is charged with a delinquent act or  
7 violation of law and requests in writing through legal counsel  
8 to be detained for protection from an imminent physical threat  
9 to his or her personal safety.

10 (d) The child is charged with committing an offense of  
11 domestic violence as defined in s. 741.28(1) and is detained  
12 as provided in s. 985.213(2)(b)3.

13 (e) The child is charged with a capital felony, a life  
14 felony, a felony of the first degree, a felony of the second  
15 degree that does not involve a violation of chapter 893, or a  
16 felony of the third degree that is also a crime of violence,  
17 including any such offense involving the use or possession of  
18 a firearm.

19 (f) The child is charged with any second degree or  
20 third degree felony involving a violation of chapter 893 or  
21 any third degree felony that is not also a crime of violence,  
22 and the child:

23 1. Has a record of failure to appear at court hearings  
24 after being properly notified in accordance with the Rules of  
25 Juvenile Procedure;

26 2. Has a record of law violations prior to court  
27 hearings;

28 3. Has already been detained or has been released and  
29 is awaiting final disposition of the case;

30 4. Has a record of violent conduct resulting in  
31 physical injury to others; or

1           5. Is found to have been in possession of a firearm.

2           (g) The child is alleged to have violated the  
3 conditions of the child's community control or aftercare  
4 supervision. However, a child detained under this paragraph  
5 may be held only in a consequence unit as provided in s.  
6 985.231(1)(a)1.c. If a consequence unit is not available, the  
7 child shall be placed on home detention with electronic  
8 monitoring.

9  
10 A child who meets any of these criteria and who is ordered to  
11 be detained pursuant to this subsection shall be given a  
12 hearing within 24 hours after being taken into custody. The  
13 purpose of the detention hearing is to determine the existence  
14 of probable cause that the child has committed the delinquent  
15 act or violation of law with which he or she is charged and  
16 the need for continued detention. Unless a child is detained  
17 under paragraph (d), the court shall utilize the results of  
18 the risk assessment performed by the juvenile probation  
19 ~~officer intake counselor or case manager~~ and, based on the  
20 criteria in this subsection, shall determine the need for  
21 continued detention. A child placed into secure, nonsecure, or  
22 home detention care may continue to be so detained by the  
23 court pursuant to this subsection. If the court orders a  
24 placement more restrictive than indicated by the results of  
25 the risk assessment instrument, the court shall state, in  
26 writing, clear and convincing reasons for such placement.  
27 Except as provided in s. 790.22(8) or in subparagraph  
28 (10)(a)2., paragraph (10)(b), paragraph (10)(c), or paragraph  
29 (10)(d), when a child is placed into secure or nonsecure  
30 detention care, or into a respite home or other placement  
31 pursuant to a court order following a hearing, the court order

1 must include specific instructions that direct the release of  
2 the child from such placement no later than 5 p.m. on the last  
3 day of the detention period specified in paragraph (5)(b) or  
4 paragraph (5)(c), or subparagraph (10)(a)1., whichever is  
5 applicable, unless the requirements of such applicable  
6 provision have been met or an order of continuance has been  
7 granted pursuant to paragraph (5)(d).

8 (10)(a)1. When a child is committed to the Department  
9 of Juvenile Justice awaiting dispositional placement, removal  
10 of the child from detention care shall occur within 5 days,  
11 excluding Saturdays, Sundays, and legal holidays. If the child  
12 is committed to ~~a low-risk residential program or a~~  
13 moderate-risk residential program, the department may seek an  
14 order from the court authorizing continued detention for a  
15 specific period of time necessary for the appropriate  
16 residential placement of the child. However, such continued  
17 detention in secure detention care may not exceed 15 days  
18 after commitment, excluding Saturdays, Sundays, and legal  
19 holidays, and except as otherwise provided in this subsection.  
20 A child may not be held in secure detention during the 5-day  
21 period while awaiting placement unless the child meets the  
22 criteria for detention prescribed in this section.

23 2. The court must place all children who are  
24 adjudicated and awaiting placement in a residential commitment  
25 program in detention care. Children who are in home detention  
26 care or nonsecure detention care may be placed on electronic  
27 monitoring. A child committed to a moderate-risk residential  
28 program may be held in a juvenile assignment center pursuant  
29 to s. 985.307 until placement or commitment is accomplished.

30 Section 10. Subsection (2) of section 985.216, Florida  
31 Statutes, is amended to read:

1           985.216 Punishment for contempt of court; alternative  
2 sanctions.--

3           (2) PLACEMENT IN A SECURE FACILITY.--A child may be  
4 placed in a secure facility for purposes of punishment for  
5 contempt of court if alternative sanctions are unavailable or  
6 inappropriate, or if the child has already been ordered to  
7 serve an alternative sanction but failed to comply with the  
8 sanction.

9           (a) A delinquent child who has been held in direct or  
10 indirect contempt may be placed in a secure detention facility  
11 for 5 days for a first offense or 15 days for a second or  
12 subsequent offense, ~~or in a secure residential commitment~~  
13 ~~facility.~~

14           (b) A child in need of services who has been held in  
15 direct contempt or indirect contempt may be placed, for 5 days  
16 for a first offense or 15 days for a second or subsequent  
17 offense, in a staff-secure shelter or a staff-secure  
18 residential facility solely for children in need of services  
19 if such placement is available, or, if such placement is not  
20 available, the child may be placed in an appropriate mental  
21 health facility or substance abuse facility for assessment. In  
22 addition to disposition under this paragraph, a child in need  
23 of services who is held in direct contempt or indirect  
24 contempt may be placed in a physically secure facility as  
25 provided under s. 984.226 if conditions of eligibility are  
26 met.

27           Section 11. Paragraph (a) of subsection (3) of section  
28 985.226, Florida Statutes, is amended to read:

29           985.226 Criteria for waiver of juvenile court  
30 jurisdiction; hearing on motion to transfer for prosecution as  
31 an adult.--

1 (3) WAIVER HEARING.--

2 (a) Within 7 days, excluding Saturdays, Sundays, and  
3 legal holidays, after the date a petition alleging that a  
4 child has committed a delinquent act or violation of law has  
5 been filed, or later with the approval of the court, but  
6 before an adjudicatory hearing and after considering the  
7 recommendation of the juvenile probation officer ~~intake~~  
8 ~~counselor or case manager~~, the state attorney may file a  
9 motion requesting the court to transfer the child for criminal  
10 prosecution.

11 Section 12. Paragraph (b) of subsection (3) of section  
12 985.23, Florida Statutes, is amended to read:

13 985.23 Disposition hearings in delinquency  
14 cases.--When a child has been found to have committed a  
15 delinquent act, the following procedures shall be applicable  
16 to the disposition of the case:

17 (3)

18 (b) If the court determines that commitment to the  
19 department is appropriate, the juvenile probation officer  
20 ~~intake counselor or case manager~~ shall recommend to the court  
21 the most appropriate placement and treatment plan,  
22 specifically identifying the restrictiveness level most  
23 appropriate for the child. If the court has determined that  
24 the child was a member of a criminal street gang, that  
25 determination shall be given great weight in identifying the  
26 most appropriate restrictiveness level for the child. The  
27 court shall consider the department's recommendation in making  
28 its commitment decision.

29 Section 13. Paragraph (a) of subsection (1) of section  
30 985.231, Florida Statutes, is amended to read:

31 985.231 Powers of disposition in delinquency cases.--

1           (1)(a) The court that has jurisdiction of an  
2 adjudicated delinquent child may, by an order stating the  
3 facts upon which a determination of a sanction and  
4 rehabilitative program was made at the disposition hearing:

5           1. Place the child in a community control program or  
6 an aftercare program under the supervision of an authorized  
7 agent of the Department of Juvenile Justice or of any other  
8 person or agency specifically authorized and appointed by the  
9 court, whether in the child's own home, in the home of a  
10 relative of the child, or in some other suitable place under  
11 such reasonable conditions as the court may direct. A  
12 community control program for an adjudicated delinquent child  
13 must include a penalty component such as restitution in money  
14 or in kind, community service, a curfew, revocation or  
15 suspension of the driver's license of the child, or other  
16 nonresidential punishment appropriate to the offense and must  
17 also include a rehabilitative program component such as a  
18 requirement of participation in substance abuse treatment or  
19 in school or other educational program.

20           a. A restrictiveness level classification scale for  
21 levels of supervision shall be provided by the department,  
22 taking into account the child's needs and risks relative to  
23 community control supervision requirements to reasonably  
24 ensure the public safety. Community control programs for  
25 children shall be supervised by the department or by any other  
26 person or agency specifically authorized by the court. These  
27 programs must include, but are not limited to, structured or  
28 restricted activities as described in this subparagraph, and  
29 shall be designed to encourage the child toward acceptable and  
30 functional social behavior. If supervision or a program of  
31 community service is ordered by the court, the duration of



1 such supervision or program must be consistent with any  
2 treatment and rehabilitation needs identified for the child  
3 and may not exceed the term for which sentence could be  
4 imposed if the child were committed for the offense, except  
5 that the duration of such supervision or program for an  
6 offense that is a misdemeanor of the second degree, or is  
7 equivalent to a misdemeanor of the second degree, may be for a  
8 period not to exceed 6 months. When restitution is ordered by  
9 the court, the amount of restitution may not exceed an amount  
10 the child and the parent or guardian could reasonably be  
11 expected to pay or make. A child who participates in any work  
12 program under this part is considered an employee of the state  
13 for purposes of liability, unless otherwise provided by law.

14         b. The court may conduct judicial review hearings for  
15 a child placed on community control for the purpose of  
16 fostering accountability to the judge and compliance with  
17 other requirements, such as restitution and community service.  
18 The court may allow early termination of community control for  
19 a child who has substantially complied with the terms and  
20 conditions of community control.

21         c. If the conditions of the community control program  
22 or the aftercare program are violated, the agent supervising  
23 the program as it relates to the child involved, or the state  
24 attorney, may bring the child before the court on a petition  
25 alleging a violation of the program. Any child who violates  
26 the conditions of community control or aftercare must be  
27 brought before the court if sanctions are sought. A child  
28 taken into custody under s. 985.207 ~~s. 39.037~~ for violating  
29 the conditions of community control or aftercare shall be held  
30 in a consequence unit if such a unit is available. The child  
31 shall be afforded a hearing within 24 hours after being taken

1 into custody to determine the existence of probable cause that  
2 the child violated the conditions of community control or  
3 aftercare. A consequence unit is a secure facility  
4 specifically designated by the department for children who are  
5 taken into custody under s. 985.207 for violating community  
6 control or aftercare, or who have been found by the court to  
7 have violated the conditions of community control or  
8 aftercare. If the violation involves a new charge of  
9 delinquency, the child may be detained under s. 985.215 in a  
10 facility other than a consequence unit. If the child is not  
11 eligible for detention for the new charge of delinquency, the  
12 child may be held in the consequence unit pending a hearing  
13 and is subject to the time limitations specified in s.  
14 985.215. If the child denies violating the conditions of  
15 community control or aftercare, the court shall appoint  
16 counsel to represent the child at the child's request. Upon  
17 the child's admission, or if the court finds after a hearing  
18 that the child has violated the conditions of community  
19 control or aftercare, the court shall enter an order revoking,  
20 modifying, or continuing community control or aftercare. In  
21 each such case, the court shall enter a new disposition order  
22 and, in addition to the sanctions set forth in this paragraph,  
23 may impose any sanction the court could have imposed at the  
24 original disposition hearing. If the child is found to have  
25 violated the conditions of community control or aftercare, the  
26 court may:

27 (I) Place the child in a consequence unit in that  
28 judicial circuit, if available, for up to 5 days for a first  
29 violation, and up to 15 days for a second or subsequent  
30 violation.

31

1 (II) Place the child on home detention with electronic  
2 monitoring. However, this sanction may be used only if a  
3 residential consequence unit is not available.

4 (III) Modify or continue the child's community control  
5 program or aftercare program.

6 (IV) Revoke community control or aftercare and commit  
7 the child to the department.

8 d. Notwithstanding s. 743.07 and paragraph (d), and  
9 except as provided in s. 985.31, the term of any order placing  
10 a child in a community control program must be until the  
11 child's 19th birthday unless he or she is released by the  
12 court, on the motion of an interested party or on its own  
13 motion.

14 2. Commit the child to a licensed child-caring agency  
15 willing to receive the child, but the court may not commit the  
16 child to a jail or to a facility used primarily as a detention  
17 center or facility or shelter.

18 3. Commit the child to the Department of Juvenile  
19 Justice at a restrictiveness level defined in s. 985.03(45).  
20 Such commitment must be for the purpose of exercising active  
21 control over the child, including, but not limited to,  
22 custody, care, training, urine monitoring, and treatment of  
23 the child and furlough of the child into the community.  
24 Notwithstanding s. 743.07 and paragraph (d), and except as  
25 provided in s. 985.31, the term of the commitment must be  
26 until the child is discharged by the department or until he or  
27 she reaches the age of 21.

28 4. Revoke or suspend the driver's license of the  
29 child.

30 5. Require the child and, if the court finds it  
31 appropriate, the child's parent or guardian together with the

1 child, to render community service in a public service  
2 program.

3           6. As part of the community control program to be  
4 implemented by the Department of Juvenile Justice, or, in the  
5 case of a committed child, as part of the community-based  
6 sanctions ordered by the court at the disposition hearing or  
7 before the child's release from commitment, order the child to  
8 make restitution in money, through a promissory note cosigned  
9 by the child's parent or guardian, or in kind for any damage  
10 or loss caused by the child's offense in a reasonable amount  
11 or manner to be determined by the court. The clerk of the  
12 circuit court shall be the receiving and dispensing agent. In  
13 such case, the court shall order the child or the child's  
14 parent or guardian to pay to the office of the clerk of the  
15 circuit court an amount not to exceed the actual cost incurred  
16 by the clerk as a result of receiving and dispensing  
17 restitution payments. The clerk shall notify the court if  
18 restitution is not made, and the court shall take any further  
19 action that is necessary against the child or the child's  
20 parent or guardian. A finding by the court, after a hearing,  
21 that the parent or guardian has made diligent and good faith  
22 efforts to prevent the child from engaging in delinquent acts  
23 absolves the parent or guardian of liability for restitution  
24 under this subparagraph.

25           7. Order the child and, if the court finds it  
26 appropriate, the child's parent or guardian together with the  
27 child, to participate in a community work project, either as  
28 an alternative to monetary restitution or as part of the  
29 rehabilitative or community control program.

30           8. Commit the child to the Department of Juvenile  
31 Justice for placement in a program or facility for serious or

1 habitual juvenile offenders in accordance with s. 985.31. Any  
2 commitment of a child to a program or facility for serious or  
3 habitual juvenile offenders must be for an indeterminate  
4 period of time, but the time may not exceed the maximum term  
5 of imprisonment that an adult may serve for the same offense.  
6 The court may retain jurisdiction over such child until the  
7 child reaches the age of 21, specifically for the purpose of  
8 the child completing the program.

9           9. In addition to the sanctions imposed on the child,  
10 order the parent or guardian of the child to perform community  
11 service if the court finds that the parent or guardian did not  
12 make a diligent and good faith effort to prevent the child  
13 from engaging in delinquent acts. The court may also order the  
14 parent or guardian to make restitution in money or in kind for  
15 any damage or loss caused by the child's offense. The court  
16 shall determine a reasonable amount or manner of restitution,  
17 and payment shall be made to the clerk of the circuit court as  
18 provided in subparagraph 6.

19           10. Subject to specific appropriation, commit the  
20 juvenile sexual offender to the Department of Juvenile Justice  
21 for placement in a program or facility for juvenile sexual  
22 offenders in accordance with s. 985.308. Any commitment of a  
23 juvenile sexual offender to a program or facility for juvenile  
24 sexual offenders must be for an indeterminate period of time,  
25 but the time may not exceed the maximum term of imprisonment  
26 that an adult may serve for the same offense. The court may  
27 retain jurisdiction over a juvenile sexual offender until the  
28 juvenile sexual offender reaches the age of 21, specifically  
29 for the purpose of completing the program.

30           Section 14. Subsection (4) of section 985.301, Florida  
31 Statutes, is amended to read:

1           985.301 Civil citation.--

2           (4) If the juvenile fails to report timely for a work  
3 assignment, complete a work assignment, or comply with  
4 assigned intervention services within the prescribed time, or  
5 if the juvenile commits a third or subsequent misdemeanor, the  
6 law enforcement officer shall issue a report alleging the  
7 child has committed a delinquent act, at which point the  
8 juvenile probation officer ~~an intake counselor or case manager~~  
9 shall perform a preliminary determination as provided under s.  
10 985.21(4).

11           Section 15. Subsection (4), paragraph (e) of  
12 subsection (5), and paragraphs (a) and (d) of subsection (6)  
13 of section 985.304, Florida Statutes, are amended to read:

14           985.304 Community arbitration.--

15           (4) PROCEDURE FOR INITIATING CASES FOR COMMUNITY  
16 ARBITRATION.--

17           (a) Any law enforcement officer may issue a complaint,  
18 along with a recommendation for community arbitration, against  
19 any child who such officer has reason to believe has committed  
20 any offense that is eligible for community arbitration. The  
21 complaint shall specify the offense and the reasons why the  
22 law enforcement officer feels that the offense should be  
23 handled by community arbitration. Any juvenile probation  
24 officer ~~intake counselor or case manager~~ or, at the request of  
25 the child's parent or legal custodian or guardian, the state  
26 attorney or the court having jurisdiction, with the  
27 concurrence of the state attorney, may refer a complaint to be  
28 handled by community arbitration when appropriate. A copy of  
29 the complaint shall be forwarded to the appropriate juvenile  
30 probation officer ~~intake counselor or case manager~~ and the  
31 parent or legal custodian or guardian of the child within 48

1 hours after issuance of the complaint. In addition to the  
2 complaint, the child and the parent or legal custodian or  
3 guardian shall be informed of the objectives of the community  
4 arbitration process; the conditions, procedures, and  
5 timeframes under which it will be conducted; and the fact that  
6 it is not obligatory. The juvenile probation officer ~~intake~~  
7 ~~counselor~~ shall contact the child and the parent or legal  
8 custodian or guardian within 2 days after the date on which  
9 the complaint was received. At this time, the child or the  
10 parent or legal custodian or guardian shall inform the  
11 juvenile probation officer ~~intake counselor~~ of the decision to  
12 approve or reject the handling of the complaint through  
13 community arbitration.

14 (b) The juvenile probation officer ~~intake counselor~~  
15 shall verify accurate identification of the child and  
16 determine whether or not the child has any prior adjudications  
17 or adjudications withheld for an offense eligible for  
18 community arbitration for consideration in the point value  
19 structure. If the child has at least one prior adjudication  
20 or adjudication withheld for an offense that ~~which~~ is not  
21 eligible for community arbitration, or if the child has  
22 already surpassed the accepted level of points on prior  
23 community arbitration resolutions, the juvenile probation  
24 officer ~~intake counselor or case manager~~ shall consult with  
25 the state attorney regarding the filing of formal juvenile  
26 proceedings.

27 (c) If the child or the parent or legal custodian or  
28 guardian rejects the handling of the complaint through  
29 community arbitration, the juvenile probation officer ~~intake~~  
30 ~~counselor~~ shall consult with the state attorney for the filing  
31 of formal juvenile proceedings.

1           (d) If the child or the parent or legal custodian or  
2 guardian accepts the handling of the complaint through  
3 community arbitration, the juvenile probation officer ~~intake~~  
4 ~~counselor~~ shall provide copies of the complaint to the  
5 arbitrator or panel within 24 hours.

6           (e) The community arbitrator or community arbitration  
7 panel shall, upon receipt of the complaint, set a time and  
8 date for a hearing within 7 days and shall inform the child's  
9 parent or legal custodian or guardian, the complaining  
10 witness, and any victims of the time, date, and place of the  
11 hearing.

12           (5) HEARINGS.--

13           (e) If a child fails to appear on the original hearing  
14 date, the matter shall be referred back to the juvenile  
15 probation officer, ~~intake counselor~~ who shall consult with the  
16 state attorney regarding the filing of formal juvenile  
17 proceedings.

18           (6) DISPOSITION OF CASES.--

19           (a) Subsequent to any hearing held as provided in  
20 subsection (5), the community arbitrator or community  
21 arbitration panel may:

22           1. Recommend that the state attorney decline to  
23 prosecute the child.

24           2. Issue a warning to the child or the child's family  
25 and recommend that the state attorney decline to prosecute the  
26 child.

27           3. Refer the child for placement in a community-based  
28 nonresidential program.

29           4. Refer the child or the family to community  
30 counseling.

31



1           5. Refer the child to a safety and education program  
2 related to delinquent children.

3           6. Refer the child to a work program related to  
4 delinquent children and require up to 100 hours of work by the  
5 child.

6           7. Refer the child to a nonprofit organization for  
7 volunteer work in the community and require up to 100 hours of  
8 work by the child.

9           8. Order restitution in money or in kind in a case  
10 involving property damage; however, the amount of restitution  
11 shall not exceed the amount of actual damage to property.

12           9. Continue the case for further investigation.

13           10. Require the child to undergo urinalysis  
14 monitoring.

15           11. Impose any other restrictions or sanctions that  
16 are designed to encourage responsible and acceptable behavior  
17 and are agreed upon by the participants of the community  
18 arbitration proceedings.

19  
20 The community arbitrator or community arbitration panel shall  
21 determine an appropriate timeframe in which the disposition  
22 must be completed. The community arbitrator or community  
23 arbitration panel shall report the disposition of the case to  
24 the juvenile probation officer ~~intake counselor or case~~  
25 ~~manager~~.

26           (d) If a child consents to an informal resolution and,  
27 in the presence of the parent or legal custodian or guardian  
28 and the community arbitrator or community arbitration panel,  
29 agrees to comply with any disposition suggested or ordered by  
30 such arbitrator or panel and subsequently fails to abide by  
31 the terms of such agreement, the community arbitrator or

1 community arbitration panel may, after a careful review of the  
2 circumstances, forward the case back to the juvenile probation  
3 officer intake counselor, who shall consult with the state  
4 attorney regarding the filing of formal juvenile proceedings.

5 Section 16. Effective upon this act becoming a law,  
6 section 985.307, Florida Statutes, is amended to read:

7 985.307 Juvenile assignment centers.--

8 (1) Contingent upon specific appropriation, the  
9 department shall establish juvenile assignment centers for  
10 committed youth who have been ordered by the court for  
11 placement in moderate-risk, high-risk, or maximum-risk  
12 commitment programs. Juvenile assignment centers shall be  
13 residential facilities serving committed youth awaiting  
14 placement in a residential commitment program.

15 (2) The purpose of juvenile assignment centers shall  
16 be:

17 (a) To ensure public safety by providing a secure  
18 residential facility to hold and process juveniles awaiting  
19 placement in commitment programs rather than releasing them to  
20 their homes and back into the community.

21 (b) To review assessments completed at local juvenile  
22 assessment centers and avoid duplication of assessment  
23 efforts. Assessments should include medical, academic,  
24 psychological, behavioral, sociological, substance abuse and  
25 mental health, and vocational testing.

26 (c) To determine appropriate treatment needs,  
27 programming, and placement decisions, and, when appropriate,  
28 to develop a treatment plan for each juvenile.

29 (d) To examine a juvenile's need for aftercare and  
30 independent living upon release from a commitment program and,  
31 when appropriate, include this in the treatment plan.

1           (3) Juveniles committed to the department shall be  
2 placed in an assignment center following the dispositional  
3 hearing and shall be transferred to the designated residential  
4 commitment program upon the availability of placement.

5           (4) Juvenile assignment centers shall be physically  
6 secure residential facilities located in each department  
7 region to serve youth in that region who are awaiting  
8 placement in commitment programs.

9           (5) For each juvenile admitted into an assignment  
10 center, the following shall be conducted:

11           (a) Review all assessments, diagnostic testing, and  
12 screening instruments performed on the juvenile while at an  
13 assessment center, in detention, during intake, or in a  
14 program or while in school; and also review the juvenile's  
15 school records from the school in which the juvenile is  
16 enrolled.

17           (b) Determine the need for, and provide or contract  
18 for, additional evaluation, including, but not limited to:  
19 needs assessment, substance abuse screening, physical and  
20 mental health screening, behavioral screening, educational  
21 assessment, aptitude testing, diagnostic testing,  
22 psychological evaluation, and vocational testing.

23           (c) Based upon the restrictiveness level ordered by  
24 the court and evaluation required in paragraph (b), the  
25 department program staff shall make an assignment to a  
26 specific commitment program. Program placements shall also  
27 take into consideration the geographic location of the  
28 juvenile's family in order to facilitate family visits and  
29 participation.

30           (d) Pending a juvenile's placement in a commitment  
31 program:

1           1. Initiate appropriate treatment plans, educational  
2 plans, performance agreements, and transitional planning based  
3 upon the court order and assessments.

4           2. Provide or contract for the provision of short-term  
5 services, including educational programming, vocational  
6 training, mental health services, substance abuse education,  
7 conflict resolution training, and impulse control and anger  
8 management training. If warranted by a substance abuse  
9 screening or a mental or physical health screening performed  
10 while the juvenile is in the assignment center, a juvenile may  
11 receive treatment while in the assignment center, including,  
12 but not limited to, substance abuse, mental health, or  
13 physical health treatment.

14           (e) To the extent possible, involve the juvenile's  
15 parents or guardian and family in the evaluation process and  
16 in the provision of services. Staff shall make efforts to  
17 contact the parents or guardian and encourage their  
18 involvement.

19           (f) Ensure that all commitment information is complete  
20 and ready for transmittal to the commitment program. This  
21 shall include a comprehensive treatment plan that reflects the  
22 information gathered through the assessment process and  
23 includes planning for aftercare and independent living, if  
24 needed.

25           (6) Notwithstanding any provision to the contrary,  
26 this section expires July 1, 2002 ~~1998~~, unless reenacted by  
27 the Legislature. The department may not create or operate a  
28 juvenile assignment center after July 1, 2002 ~~1998~~, without  
29 further legislative authority. Unless reenacted by the  
30 Legislature, any juvenile assignment center created under this  
31 section shall be converted to a high-level or maximum-level

1 residential commitment program, subject to availability of  
2 funds.

3 Section 17. Paragraphs (f) and (h) of subsection (3)  
4 of section 985.31, Florida Statutes, are amended to read:

5 985.31 Serious or habitual juvenile offender.--

6 (3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND  
7 TREATMENT.--

8 (f) After a child has been transferred for criminal  
9 prosecution, a circuit court judge may direct the juvenile  
10 probation officer ~~an intake counselor or case manager~~ to  
11 consult with designated staff from an appropriate serious or  
12 habitual juvenile offender program for the purpose of making  
13 recommendations to the court regarding the child's placement  
14 in such program.

15 (h) Based on the recommendations of the  
16 multidisciplinary assessment, the juvenile probation officer  
17 ~~intake counselor or case manager~~ shall make the following  
18 recommendations to the court:

19 1. For each child who has not been transferred for  
20 criminal prosecution, the juvenile probation officer ~~intake~~  
21 ~~counselor or case manager~~ shall recommend whether placement in  
22 such program is appropriate and needed.

23 2. For each child who has been transferred for  
24 criminal prosecution, the juvenile probation officer ~~intake~~  
25 ~~counselor or case manager~~ shall recommend whether the most  
26 appropriate placement for the child is a juvenile justice  
27 system program, including a serious or habitual juvenile  
28 offender program or facility, or placement in the adult  
29 correctional system.

30  
31

1 If treatment provided by a serious or habitual juvenile  
2 offender program or facility is determined to be appropriate  
3 and needed and placement is available, the juvenile probation  
4 officer ~~intake counselor or case manager~~ and the court shall  
5 identify the appropriate serious or habitual juvenile offender  
6 program or facility best suited to the needs of the child.

7 Section 18. Paragraphs (f) and (h) of subsection (3)  
8 of section 985.311, Florida Statutes, are amended to read:

9 985.311 Intensive residential treatment program for  
10 offenders less than 13 years of age.--

11 (3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND  
12 TREATMENT.--

13 (f) After a child has been transferred for criminal  
14 prosecution, a circuit court judge may direct the juvenile  
15 probation officer ~~an intake counselor or case manager~~ to  
16 consult with designated staff from an appropriate intensive  
17 residential treatment program for offenders less than 13 years  
18 of age for the purpose of making recommendations to the court  
19 regarding the child's placement in such program.

20 (h) Based on the recommendations of the  
21 multidisciplinary assessment, the juvenile probation officer  
22 ~~intake counselor or case manager~~ shall make the following  
23 recommendations to the court:

24 1. For each child who has not been transferred for  
25 criminal prosecution, the juvenile probation officer ~~intake~~  
26 ~~counselor or case manager~~ shall recommend whether placement in  
27 such program is appropriate and needed.

28 2. For each child who has been transferred for  
29 criminal prosecution, the juvenile probation officer ~~intake~~  
30 ~~counselor or case manager~~ shall recommend whether the most  
31 appropriate placement for the child is a juvenile justice

1 system program, including a child who is eligible for an  
2 intensive residential treatment program for offenders less  
3 than 13 years of age, or placement in the adult correctional  
4 system.

5  
6 If treatment provided by an intensive residential treatment  
7 program for offenders less than 13 years of age is determined  
8 to be appropriate and needed and placement is available, the  
9 juvenile probation officer ~~intake counselor or case manager~~  
10 and the court shall identify the appropriate intensive  
11 residential treatment program for offenders less than 13 years  
12 of age best suited to the needs of the child.

13 Section 19. Section 944.401, Florida Statutes, is  
14 transferred, renumbered as section 985.3141, Florida Statutes,  
15 and amended to read:

16 985.3141 ~~944.401~~ Escapes from secure detention or  
17 residential commitment facility.--An escape from:

18 (1) Any secure detention facility maintained for the  
19 temporary detention of children, pending adjudication,  
20 disposition, or placement; ~~an escape from~~

21 (2) Any residential commitment facility defined in s.  
22 985.03(45) ~~s. 39.01(59)~~, maintained for the custody,  
23 treatment, punishment, or rehabilitation of children found to  
24 have committed delinquent acts or violations of law; or ~~an~~  
25 ~~escape from~~

26 (3) Lawful transportation to or from any such secure  
27 detention facility or residential commitment facility, ~~thereto~~  
28 ~~or therefrom~~

29  
30  
31

1 constitutes escape within the intent and meaning of s. 944.40  
2 and is a felony of the third degree, punishable as provided in  
3 s. 775.082, s. 775.083, or s. 775.084.

4 Section 20. Paragraph (a) of subsection (2) of section  
5 985.406, Florida Statutes, is amended to read:

6 985.406 Juvenile justice training academies  
7 established; Juvenile Justice Standards and Training  
8 Commission created; Juvenile Justice Training Trust Fund  
9 created.--

10 (2) JUVENILE JUSTICE STANDARDS AND TRAINING  
11 COMMISSION.--

12 (a) There is created under the Department of Juvenile  
13 Justice the Juvenile Justice Standards and Training  
14 Commission, hereinafter referred to as the commission. The  
15 17-member commission shall consist of the Attorney General or  
16 designee, the Commissioner of Education or designee, a member  
17 of the juvenile court judiciary to be appointed by the Chief  
18 Justice of the Supreme Court, and 14 members to be appointed  
19 by the Secretary of Juvenile Justice as follows:

20 1. Seven members shall be juvenile justice  
21 professionals: a superintendent or a direct care staff member  
22 from an institution; a director from a contracted  
23 community-based program; a superintendent and a direct care  
24 staff member from a regional detention center or facility; a  
25 juvenile probation officer or a supervisor of juvenile  
26 probation officers ~~community control counselor~~; and a director  
27 of a day treatment or aftercare program. No fewer than three  
28 of these members shall be contract providers.

29 2. Two members shall be representatives of local law  
30 enforcement agencies.

31



1           3. One member shall be an educator from the state's  
2 university and community college program of criminology,  
3 criminal justice administration, social work, psychology,  
4 sociology, or other field of study pertinent to the training  
5 of juvenile justice program staff.

6           4. One member shall be a member of the public.

7           5. One member shall be a state attorney, or assistant  
8 state attorney, who has juvenile court experience.

9           6. One member shall be a public defender, or assistant  
10 public defender, who has juvenile court experience.

11           7. One member shall be a representative of the  
12 business community.

13

14 All appointed members shall be appointed to serve terms of 2  
15 years.

16           Section 21. Subsection (1) of section 985.412, Florida  
17 Statutes, is amended to read:

18           985.412 Quality assurance.--

19           (1)(a) It is the intent of the Legislature to:

20           1. Ensure that information be provided to  
21 decisionmakers so that resources are allocated to programs of  
22 the department which achieve desired performance levels.

23           2. Provide information about the cost of such programs  
24 and their differential effectiveness so that the quality of  
25 such programs can be compared and improvements made  
26 continually.

27           3. Provide information to aid in developing related  
28 policy issues and concerns.

29           4. Provide information to the public about the  
30 effectiveness of such programs in meeting established goals  
31 and objectives.

1           5. Provide a basis for a system of accountability so  
2 that each client is afforded the best programs to meet his or  
3 her needs.

4           6. Improve service delivery to clients.

5           7. Modify or eliminate activities that are not  
6 effective.

7           (b) As used in this subsection, the term:

8           1. "Client" means any person who is being provided  
9 treatment or services by the department or by a provider under  
10 contract with the department.

11           2. "Program component" means an aggregation of  
12 generally related objectives which, because of their special  
13 character, related workload, and interrelated output, can  
14 logically be considered an entity for purposes of  
15 organization, management, accounting, reporting, and  
16 budgeting.

17           3. "Program effectiveness" means the ability of the  
18 program to achieve desired client outcomes, goals, and  
19 objectives.

20           (c) The department shall:

21           1. Establish a comprehensive quality assurance system  
22 for each program operated by the department or operated by a  
23 provider under contract with the department. Each contract  
24 entered into by the department must provide for quality  
25 assurance.

26           2. Provide operational definitions of and criteria for  
27 quality assurance for each specific program component.

28           3. Establish quality assurance goals and objectives  
29 for each specific program component.

30           4. Establish the information and specific data  
31 elements required for the quality assurance program.

1           5. Develop a quality assurance manual of specific,  
2 standardized terminology and procedures to be followed by each  
3 program.

4           6. Evaluate each program operated by a provider under  
5 a contract with the department and establish minimum  
6 thresholds for each program component. If a provider fails to  
7 meet the established minimum thresholds, such failure shall  
8 cause the department to cancel the provider's contract unless  
9 the provider achieves compliance with minimum thresholds  
10 within 6 months or unless there are documented extenuating  
11 circumstances. In addition, the department may not contract  
12 with the same provider for the canceled service for a period  
13 of 12 months.

14  
15 The department shall submit an annual report to the President  
16 of the Senate, the Speaker of the House of Representatives,  
17 the Minority Leader of each house of the Legislature, the  
18 appropriate substantive and fiscal committees of each house of  
19 the Legislature, and the Governor, no later than February 1 of  
20 each year. The annual report must contain, at a minimum, for  
21 each specific program component: a comprehensive description  
22 of the population served by the program; a specific  
23 description of the services provided by the program; cost; a  
24 comparison of expenditures to federal and state funding;  
25 immediate and long-range concerns; and recommendations to  
26 maintain, expand, improve, modify, or eliminate each program  
27 component so that changes in services lead to enhancement in  
28 program quality. ~~The department's inspector general shall~~  
29 ~~ensure the reliability and validity of the information~~  
30 ~~contained in the report.~~

31

1           Section 22. Paragraph (b) of subsection (3) of section  
2 985.413, Florida Statutes, is amended to read:

3           985.413 District juvenile justice boards.--

4           (3) DISTRICT JUVENILE JUSTICE BOARDS.--

5           (b)1.

6           a. The authority to appoint members to district  
7 juvenile justice boards, and the size of each board, is as  
8 follows:

9           (I) District 1 is to have a board composed of 12  
10 members, to be appointed by the juvenile justice councils of  
11 the respective counties, as follows: Escambia County, 6  
12 members; Okaloosa County, 3 members; Santa Rosa County, 2  
13 members; and Walton County, 1 member.

14           (II) District 2 is to have a board composed of 18  
15 members, to be appointed by the juvenile justice councils in  
16 the respective counties, as follows: Holmes County, 1 member;  
17 Washington County, 1 member; Bay County, 2 members; Jackson  
18 County, 1 member; Calhoun County, 1 member; Gulf County, 1  
19 member; Gadsden County, 1 member; Franklin County, 1 member;  
20 Liberty County, 1 member; Leon County, 4 members; Wakulla  
21 County, 1 member; Jefferson County, 1 member; Madison County,  
22 1 member; and Taylor County, 1 member.

23           (III) District 3 is to have a board composed of 15  
24 members, to be appointed by the juvenile justice councils of  
25 the respective counties, as follows: Hamilton County, 1  
26 member; Suwannee County, 1 member; Lafayette County, 1 member;  
27 Dixie County, 1 member; Columbia County, 1 member; Gilchrist  
28 County, 1 member; Levy County, 1 member; Union County, 1  
29 member; Bradford County, 1 member; Putnam County, 1 member;  
30 and Alachua County, 5 members.

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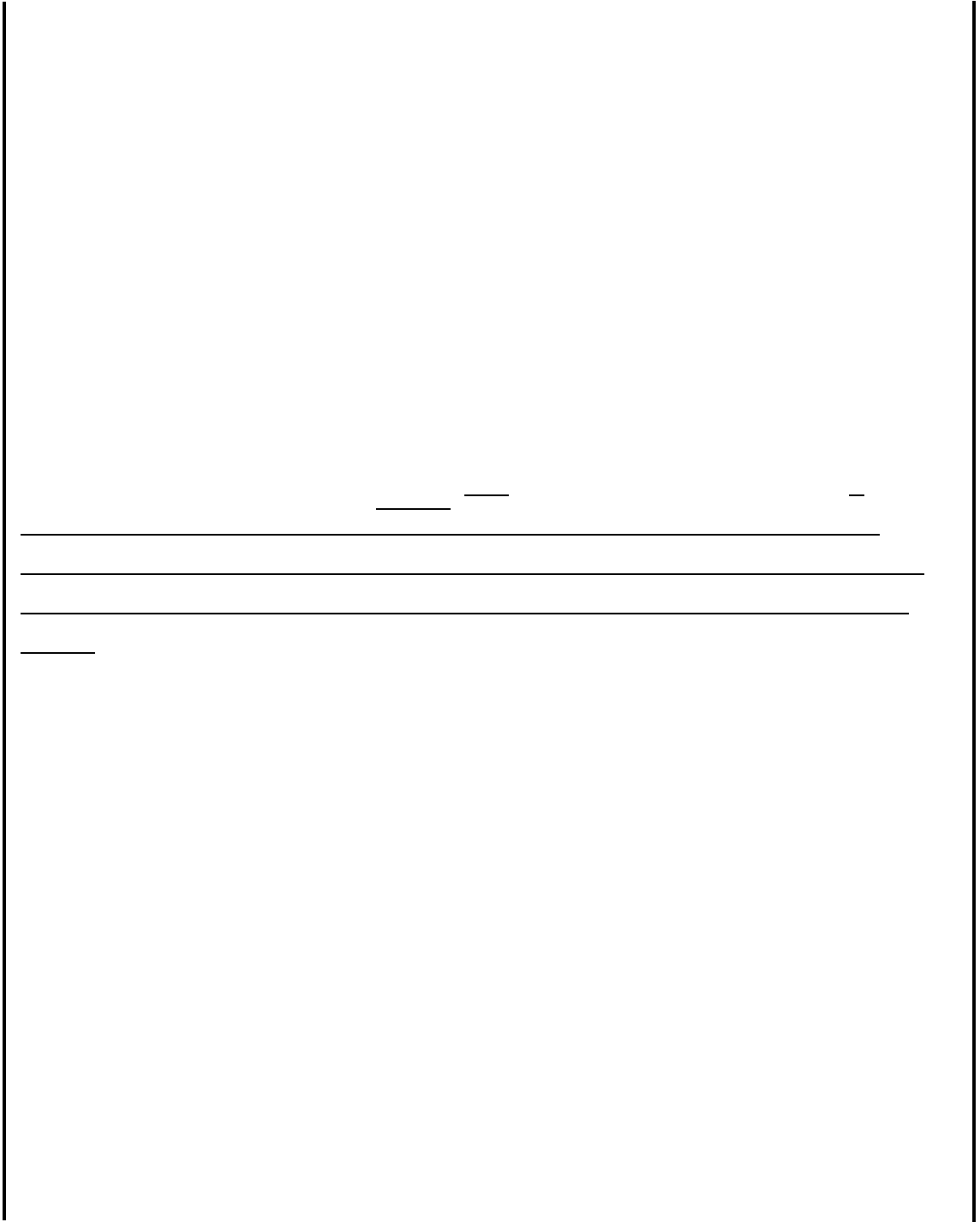
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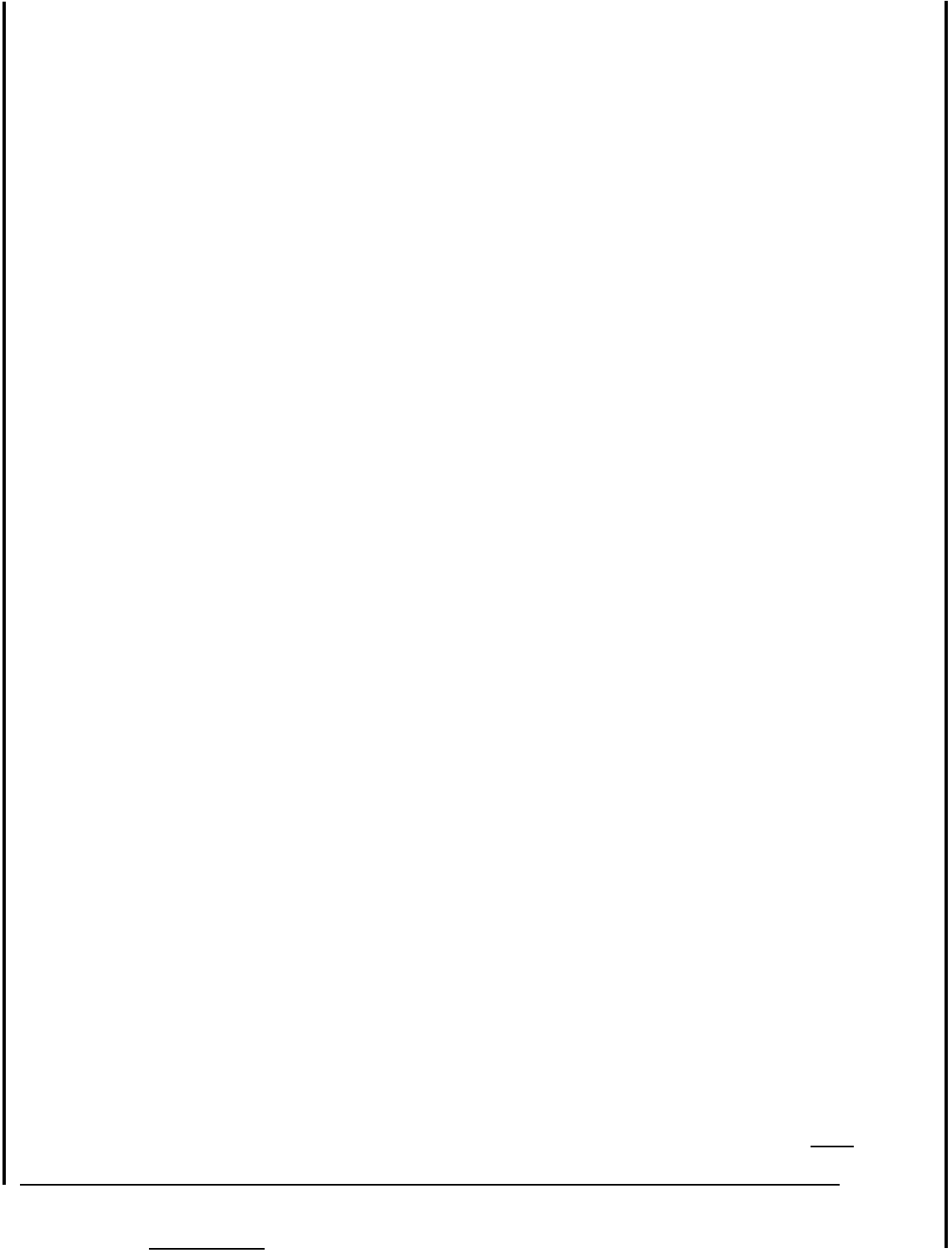
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1           2. The diversity of community entities participating  
2 in the development of the district juvenile justice plan.

3           3. The number of community partners who will be  
4 actively involved in the operation of the grant program.

5           4. The number of students or youths to be served by  
6 the grant and the criteria by which they will be selected.

7           5. The criteria by which the grant program will be  
8 evaluated and, if deemed successful, the feasibility of  
9 implementation in other communities.

10           Section 25. This act shall take effect July 1, 1998,  
11 except that this section and section 16 of this act shall take  
12 effect upon becoming a law.

13  
14                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
15                                   COMMITTEE SUBSTITUTE FOR  
16                                   Senate Bill 2288

- 17 1. Removes the section amending s. 938.19, F.S., relating to  
18 teen courts.  
19 2. Makes the public defenders participants with the  
20 Department of Juvenile Justice as it relates to juvenile  
21 assessment centers and interagency agreements.  
22  
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