

1 A bill to be entitled

2 An act relating to the costs of supervision and care for
3 juvenile offenders; clarifying the authority of the court
4 to assess fees to parents for the costs associated with
5 the supervision or care of a child by the Department of
6 Juvenile Justice; creating s. 985.2311, F.S.; requiring
7 the court to order the parent of a child placed in home
8 detention, probation, or other supervision status or
9 placed into secure detention or on committed status with
10 the department to pay a daily fee for the cost of such
11 child's supervision or care; specifying the amount of the
12 fee associated with the cost of supervision; specifying
13 the amount of the fee associated with the cost of care;
14 requiring the parent of such child to provide specified
15 identifying information and information pertaining to the
16 parent's ability to pay such fees; providing for
17 enforcement of such requirement through contempt
18 proceedings; authorizing the court to apportion the
19 payment obligation; requiring the court to waive or reduce
20 such fees upon a finding of indigency or significant
21 financial hardship; requiring such finding to be supported
22 by facts and detailed in writing; authorizing the court to
23 reduce or waive such fees as to any parent who was a
24 victim of the child's delinquent act in certain
25 circumstances; requiring the court to make written
26 findings as to what fees are ordered, reduced, or waived;
27 providing a presumption in the absence of such order;
28 authorizing the court to order a child to pay such fees in
29 certain circumstances; requiring the department to seek a

30 federal waiver to garnish public assistance benefits in
31 certain circumstances; providing procedures if an order
32 for payment of such fees affects the guardianship of an
33 estate; authorizing the department to employ certain
34 agencies in the collection of delinquent or unpaid fees;
35 providing for payment for the services of such collection
36 agency; requiring that certain documentation be provided
37 relating to the payment of such fees; providing for all
38 moneys collected by the department or collection agency in
39 connection with such fees to be transferred to the Grants
40 and Donations Trust Fund; prohibiting the court or the
41 department from extending a child's length of supervision
42 or care solely for the purpose of collecting such fees;
43 providing a limitation of the responsibility of a parent
44 or child for such fees; providing for a refund in certain
45 circumstances; defining the term "parent"; amending s.
46 985.21, F.S.; revising cross references, to conform;
47 amending s. 985.215, F.S.; requiring the court to order a
48 parent to pay fees associated with the cost of the
49 supervision or care of any child placed on detention
50 status with the department; providing a cross reference;
51 deleting provisions relating to the assessment and
52 collection of fees associated with the cost of such care
53 to conform; amending s. 985.231, F.S.; requiring the court
54 to order a parent to pay fees associated with the cost of
55 the supervision or care of any child found to have
56 committed a delinquent act, regardless of adjudication,
57 and placed under the supervision or in the temporary
58 custody of the department; providing a cross reference;

59 deleting provisions relating to the assessment and
 60 collection of fees associated with the cost of such
 61 supervision or care to conform; amending s. 985.233, F.S.;
 62 providing for the recoupment of the cost of supervision or
 63 care in juvenile justice programs or facilities; requiring
 64 the court to order a parent to pay fees associated with
 65 the cost of the supervision or care of any child
 66 supervised by or committed to the department; providing a
 67 cross reference; deleting provisions relating to the
 68 assessment and collection of fees associated with the cost
 69 of such supervision or care to conform; requiring the
 70 court to reduce the fees owed by parents or guardians for
 71 the cost of a child's care or supervision by the
 72 department in certain circumstances where the parent or
 73 guardian successfully completes a parenting course;
 74 providing a limit on the amount that such fees may be
 75 reduced; providing for the future repeal of the
 76 requirement; providing an effective date.

78 Be It Enacted by the Legislature of the State of Florida:

80 Section 1. Section 985.2311, Florida Statutes, is created
 81 to read:

82 985.2311 Cost of supervision; cost of care.--

83 (1) Except as provided in subsection (3) or subsection

84 (4):

85 (a) When any child is placed into home detention,
 86 probation, or other supervision status with the Department of
 87 Juvenile Justice, the court shall order the parent of such child

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88 to pay to the department a fee for the cost of the supervision
89 of such child in the amount of \$1 per day for each day that the
90 child is in supervision status.

91 (b) When any child is placed into secure detention or
92 placed on committed status and the temporary legal custody of
93 such child is placed with the Department of Juvenile Justice,
94 the court shall order the parent of such child to pay to the
95 department a fee for the cost of the care of such child in the
96 amount of \$5 per day for each day that the child is in the
97 temporary legal custody of the department.

98 (2) The parent of any child who has been placed under the
99 supervision or care of the department shall provide to the
100 department his or her name, address, social security number,
101 date of birth, driver's license number or identification card
102 number, and sufficient financial information so as to assist the
103 court in determining the parent's ability to pay any fee
104 associated with the cost of the child's supervision or care. If
105 the parent refuses to provide the department with the
106 information required by this subsection, the court shall order
107 the parent to provide such information. The failure of the
108 parent to comply with such order of the court constitutes
109 contempt of court, and the court may punish the parent
110 accordingly.

111 (3) At the time of any detention or disposition hearing,
112 the court shall receive the information described in subsection
113 (2), as well as any other verbal or written information offered
114 as to the ability of the parent of a child who is being placed
115 under the supervision or care of the department to pay any fee
116 imposed pursuant to this section and whether the payment of such

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117 fee will create a significant financial hardship. The court may
118 apportion the obligation for the fee to each parent in a manner
119 it deems appropriate; however, the total amount of the daily fee
120 may not exceed the amounts specified in this section. Any
121 finding made by the court as to the ability of the parent to pay
122 such fee, including any finding of indigency or significant
123 financial hardship, shall be in writing and shall contain a
124 detailed description of the facts supporting such finding. If
125 the court makes a finding of indigency and significant financial
126 hardship, the court shall waive the fee or reduce it to an
127 amount deemed appropriate.

128 (4) Notwithstanding subsection (3), the court may reduce
129 or waive the fee as to each parent if the court makes a finding
130 on the record that the parent was the victim of the delinquent
131 act or violation of law for which the child has been placed
132 under the supervision or care of the department and that the
133 parent or guardian is cooperating or has cooperated with the
134 investigation of the offense.

135 (5) The court shall order the payment of any fees required
136 in this section as part of the detention or disposition order.
137 Such order must include specific written findings as to what
138 fees are ordered, reduced, or waived. If the court fails to
139 enter an order as required by this section, the parent is deemed
140 to have an obligation to pay to the department a fee in the
141 amount of \$1 per day for each day that the child is under the
142 supervision of the department and \$5 per day for each day that
143 the child remains in the care of the department.

144 (6) Notwithstanding subsection (1), with respect to a
145 child who reaches the age of 18 prior to the detention or

146 disposition hearing, the court may elect to direct an order
147 required by this section to such child, rather than to the
148 child's parent. With regard to a child who reaches 18 while
149 under the supervision or care of the department, the court may,
150 upon proper motion of any party, hold a hearing as to whether
151 any party should be further obligated to pay any fee associated
152 with cost of the supervision or care of such child. If the court
153 does not enter an order under this subsection, it shall be
154 presumed that the court intended for the parent to pay or to
155 continue to pay the fees specified in this section. Any order
156 entered pursuant to this subsection must include specific
157 findings as to what fees are ordered, reduced, or waived as to
158 the child.

159 (7) With respect to a child who has been placed under the
160 supervision or care of the department and whose parent receives
161 public assistance for any portion of such child's care, the
162 department must seek a federal waiver to garnish or otherwise
163 order the payment of a portion of the public assistance relating
164 to such child to offset the costs to the department associated
165 with providing supervision or care of such child.

166 (8) If any order entered pursuant to this section affects
167 the guardianship of an estate, a certified copy of such order
168 shall be delivered to the judge having jurisdiction over the
169 guardianship of the estate.

170 (9) The department may employ a collection agency for the
171 purpose of receiving, collecting, and managing the payment of
172 any fees ordered pursuant to this section that have gone
173 delinquent or unpaid. The collection agency must be registered
174 and in good standing under chapter 559. The department may pay

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175 for the services of the collection agency from available
176 authorized funds or from funds generated by any collections
177 under this subsection. Alternatively, the department may
178 authorize the collection agency to withhold a specified amount
179 of any fee collected as payment for its services.

180 (10) The department or the collection agency shall provide
181 to the payor documentation of the payment of any fee paid
182 pursuant to this section. Except as provided in subsection (9),
183 all payments received by the department or the collection agency
184 pursuant to this section shall be deposited in the state Grants
185 and Donations Trust Fund.

186 (11) Under no circumstance shall the court or the
187 department extend the child's length of stay in the department's
188 supervision or care solely for the purpose of collecting the
189 fees specified in this section.

190 (12) No parent or child shall be liable for any fee
191 provided in this section unless:

192 (a) The child is adjudicated delinquent, or has
193 adjudication of delinquency withheld, for the offense that gave
194 rise to the supervision or care; or

195 (b) The child is found to have violated an order of the
196 court, including any order of supervision or care, and the costs
197 are associated with the violation of such order.

198
199 If any funds are paid for the supervision or care of a child who
200 is determined not to meet the criteria specified in paragraph
201 (a) or paragraph (b), such funds shall be refunded to the payor
202 forthwith.

203 (13) For purposes of this section, "parent" means any

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204 person who meets the definition of "parent" or "legal custody or
 205 guardian" in s. 985.03.

206 Section 2. Subsection (5) of section 985.21, Florida
 207 Statutes, is amended to read:

208 985.21 Intake and case management.--

209 (5) Prior to requesting that a delinquency petition be
 210 filed or prior to filing a dependency petition, the juvenile
 211 probation officer may request the parent or legal guardian of
 212 the child to attend a course of instruction in parenting skills,
 213 training in conflict resolution, and the practice of
 214 nonviolence; to accept counseling; or to receive other
 215 assistance from any agency in the community which notifies the
 216 clerk of the court of the availability of its services. Where
 217 appropriate, the juvenile probation officer shall request both
 218 parents or guardians to receive such parental assistance. The
 219 juvenile probation officer may, in determining whether to
 220 request that a delinquency petition be filed, take into
 221 consideration the willingness of the parent or legal guardian to
 222 comply with such request. The parent or guardian must provide
 223 the juvenile probation officer with identifying information,
 224 including the parent's or guardian's name, address, date of
 225 birth, social security number, and driver's license number or
 226 identification card number in order to comply with s. 985.2311
 227 ~~ss. 985.215(6), 985.231(1)(b), and 985.233(4)(d).~~

228 Section 3. Subsection (6) of section 985.215, Florida
 229 Statutes, as amended by section 140 of chapter 2003-402, Laws of
 230 Florida, is amended to read:

231 985.215 Detention.--

232 (6)(a) When any child is placed into secure, ~~nonsecure,~~ or

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233 home detention care or into other placement for the purpose of
234 being supervised by the Department of Juvenile Justice pursuant
235 to a court order following a detention hearing, the court shall
236 order the parents or guardians of such child to pay to the
237 Department of Juvenile Justice fees as provided under s.
238 985.2311 ~~in the amount of \$5 per day that the child is under the~~
239 ~~care or supervision of the department in order to partially~~
240 ~~offset the cost of the care, support, maintenance, and other~~
241 ~~usual and ordinary obligations of parents to provide for the~~
242 ~~needs of their children, unless the court makes a finding on the~~
243 ~~record that the parent or guardian of the child is indigent.~~

244 ~~(b) At the time of the detention hearing, the department~~
245 ~~shall report to the court, verbally or in writing, any available~~
246 ~~information concerning the ability of the parent or guardian of~~
247 ~~the child to pay such fee. If the court makes a finding of~~
248 ~~indigence, the parent or guardian shall pay to the department a~~
249 ~~nominal subsistence fee of \$2 per day that the child is securely~~
250 ~~detained outside the home or \$1 per day if the child is~~
251 ~~otherwise detained in lieu of other fees related to the parent's~~
252 ~~obligation for the child's cost of care. The nominal subsistence~~
253 ~~fee may only be waived or reduced if the court makes a finding~~
254 ~~that such payment would constitute a significant financial~~
255 ~~hardship. Such finding shall be in writing and shall contain a~~
256 ~~detailed description of the facts that led the court to make~~
257 ~~both the finding of indigence and the finding of significant~~
258 ~~financial hardship.~~

259 ~~(c) In addition, the court may reduce the fees or waive~~
260 ~~the fees as to each parent or guardian if the court makes a~~
261 ~~finding on the record that the parent or guardian was the victim~~

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262 ~~of the delinquent act or violation of law for which the child is~~
263 ~~detained and that the parent or guardian is cooperating in the~~
264 ~~investigation of the offense.~~

265 ~~(d) The court must include specific findings in the~~
266 ~~detention order as to what fees are ordered, reduced, or waived.~~
267 ~~If the court fails to enter an order as required by this~~
268 ~~subsection, it shall be presumed that the court intended the~~
269 ~~parent or guardian to pay to the department the fee of \$5 per~~
270 ~~day that the child remains in detention care.~~

271 ~~(e) With respect to a child who has been found to have~~
272 ~~committed a delinquent act or violation of law, whether or not~~
273 ~~adjudication is withheld, and whose parent or guardian receives~~
274 ~~public assistance for any portion of that child's care, the~~
275 ~~department must seek a federal waiver to garnish or otherwise~~
276 ~~order the payments of the portion of the public assistance~~
277 ~~relating to that child to offset the costs of providing care,~~
278 ~~eustody, maintenance, rehabilitation, intervention, or~~
279 ~~corrective services to the child. When the order affects the~~
280 ~~guardianship estate, a certified copy of the order shall be~~
281 ~~delivered to the judge having jurisdiction of the guardianship~~
282 ~~estate.~~

283 ~~(f) The clerk of the circuit court shall act as a~~
284 ~~depository for these fees. Upon each payment received, the clerk~~
285 ~~of the circuit court shall receive a fee from the total payment~~
286 ~~of 3 percent of any payment made except that no fee shall be~~
287 ~~less than \$1 nor more than \$5 per payment made. This fee shall~~
288 ~~serve as a service charge for the administration, management,~~
289 ~~and maintenance of each payment. At the end of each month, the~~
290 ~~clerk of the circuit court shall send all money collected under~~

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291 ~~this section to the state Grants and Donations Trust Fund.~~

292 ~~(g) The parent or guardian shall provide to the department~~
293 ~~the parent's or guardian's name, address, social security~~
294 ~~number, date of birth, and driver's license number or~~
295 ~~identification card number and sufficient financial information~~
296 ~~for the department to be able to determine the parent's or~~
297 ~~guardian's ability to pay. If the parent or guardian refuses to~~
298 ~~provide the department with any identifying information or~~
299 ~~financial information, the court shall order the parent to~~
300 ~~comply and may pursue contempt of court sanctions for failure to~~
301 ~~comply.~~

302 ~~(h) The department may employ a collection agency for the~~
303 ~~purpose of receiving, collecting, and managing the payment of~~
304 ~~unpaid and delinquent fees. The collection agency must be~~
305 ~~registered and in good standing under chapter 559. The~~
306 ~~department may pay to the collection agency a fee from the~~
307 ~~amount collected under the claim or may authorize the agency to~~
308 ~~deduct the fee from the amount collected. The department may~~
309 ~~also pay for collection services from available authorized~~
310 ~~funds.~~

311 ~~(i) The department may enter into agreements with parents~~
312 ~~or guardians to establish a schedule of periodic payments if~~
313 ~~payment of the obligation in full presents an undue hardship.~~
314 ~~Any such agreement may provide for payment of interest~~
315 ~~consistent with prevailing loan rates.~~

316 ~~(j) The Department of Juvenile Justice shall provide to~~
317 ~~the payor documentation of any amounts paid by the payor to the~~
318 ~~Department of Juvenile Justice on behalf of the child. All~~
319 ~~payments received by the department pursuant to this subsection~~

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320 ~~shall be deposited in the state Grants and Donations Trust Fund.~~
 321 ~~Neither the court nor the department may extend the child's~~
 322 ~~length of stay in detention care solely for the purpose of~~
 323 ~~collecting fees.~~

324 Section 4. Paragraph (b) of subsection (1) of section
 325 985.231, Florida Statutes, as amended by section 141 of chapter
 326 2003-402, Laws of Florida, is amended to read:

327 985.231 Powers of disposition in delinquency cases.--

328 (1)

329 (b)~~1~~. When any child is found ~~adjudicated~~ by the court to
 330 have committed a delinquent act and is placed on probation,
 331 regardless of adjudication, under the supervision of or in the
 332 ~~temporary legal custody of the child has been placed with a~~
 333 ~~licensed child-caring agency or the Department of Juvenile~~
 334 ~~Justice, the court shall order the parents of such child to pay~~
 335 ~~fees to the department as provided under s. 985.2311 in the~~
 336 ~~amount of \$5 per day that the child is under the care or~~
 337 ~~supervision of the department in order to partially offset the~~
 338 ~~cost of the care, support, maintenance, and other usual and~~
 339 ~~ordinary obligations of parents to provide for the needs of~~
 340 ~~their children while in the recommended residential commitment~~
 341 ~~level, unless the court makes a finding on the record that the~~
 342 ~~parent or guardian of the child is indigent.~~

343 2. ~~No later than the disposition hearing, the department~~
 344 ~~shall provide the court with information concerning the actual~~
 345 ~~cost of care, support, and maintenance of the child in the~~
 346 ~~recommended residential commitment level and concerning the~~
 347 ~~ability of the parent or guardian of the child to pay any fees.~~
 348 ~~If the court makes a finding of indigence, the parent or~~

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349 ~~guardianship shall pay to the department a nominal subsistence~~
350 ~~fee of \$2 per day that the child is committed outside the home~~
351 ~~or \$1 per day if the child is otherwise supervised in lieu of~~
352 ~~other fees related to the parents' obligation for the child's~~
353 ~~cost of care. The nominal subsistence fee may only be waived or~~
354 ~~reduced if the court makes a finding that such payment would~~
355 ~~constitute a significant financial hardship. Such finding shall~~
356 ~~be in writing and shall contain a detailed description of the~~
357 ~~facts that led the court to make both the finding of indigence~~
358 ~~and the finding of significant financial hardship.~~

359 ~~3. In addition, the court may reduce the fees or waive the~~
360 ~~fees as to each parent or guardian if the court makes a finding~~
361 ~~on the record that the parent or guardian was the victim of the~~
362 ~~delinquent act or violation of law for which the child is~~
363 ~~subject to placement under this section and that the parent or~~
364 ~~guardian has cooperated in the investigation and prosecution of~~
365 ~~the offense.~~

366 ~~4. All orders committing a child to a residential~~
367 ~~commitment program shall include specific findings as to what~~
368 ~~fees are ordered, reduced, or waived. If the court fails to~~
369 ~~enter an order as required by this paragraph, it shall be~~
370 ~~presumed that the court intended the parent or guardian to pay~~
371 ~~fees to the department in an amount of \$5 per day related to the~~
372 ~~care, support, and maintenance of the child. With regard to a~~
373 ~~child who reaches the age of 18 prior to the disposition~~
374 ~~hearing, the court may elect to direct an order required by this~~
375 ~~paragraph to such child, rather than the parent or guardian.~~
376 ~~With regard to a child who reaches the age of 18 while in the~~
377 ~~custody of the department, the court may, upon proper motion of~~

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378 ~~any party, hold a hearing as to whether any party should be~~
379 ~~further obligated respecting the payment of fees. When the order~~
380 ~~affects the guardianship estate, a certified copy of the order~~
381 ~~shall be delivered to the judge having jurisdiction of the~~
382 ~~guardianship estate.~~

383 ~~5. The clerk of the circuit court shall act as a~~
384 ~~depository for these fees. Upon each payment received, the clerk~~
385 ~~of the circuit court shall receive a fee from the total payment~~
386 ~~of 3 percent of any payment made except that no fee shall be~~
387 ~~less than \$1 nor more than \$5 per payment made. This fee shall~~
388 ~~serve as a service charge for the administration, management,~~
389 ~~and maintenance of each payment. At the end of each month, the~~
390 ~~clerk of the circuit court shall send all money collected under~~
391 ~~this section to the state Grants and Donations Trust Fund.~~

392 ~~6. The parent or guardian shall provide to the department~~
393 ~~the parent or guardian's name, address, social security number,~~
394 ~~state of birth, and driver's license number or identification~~
395 ~~card number and sufficient financial information for the~~
396 ~~department to be able to determine the parent or guardian's~~
397 ~~ability to pay. If the parent or guardian refuses to provide the~~
398 ~~department with any identifying information or financial~~
399 ~~information, the court shall order the parent to comply and may~~
400 ~~pursue contempt of court sanctions for failure to comply.~~

401 ~~7. The department may employ a collection agency for the~~
402 ~~purpose of receiving, collecting, and managing the payment of~~
403 ~~unpaid and delinquent fees. The collection agency must be~~
404 ~~registered and in good standing under chapter 559. The~~
405 ~~department may pay to the collection agency a fee from the~~
406 ~~amount collected under the claim or may authorize the agency to~~

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407 ~~deduct the fee from the amount collected. The department may~~
408 ~~also pay for collection services from available authorized~~
409 ~~funds.~~

410 ~~8. The department may enter into agreements with parents~~
411 ~~or guardians to establish a schedule of periodic payments if~~
412 ~~payment of the obligation in full presents an undue hardship.~~
413 ~~Any such agreement may provide for payment of interests~~
414 ~~consistent with prevailing loan rates.~~

415 ~~9. The Department of Juvenile Justice shall provide to the~~
416 ~~payor documentation of any amounts paid by the payor to the~~
417 ~~Department of Juvenile Justice on behalf of the child. All~~
418 ~~payments received by the department pursuant to this subsection~~
419 ~~shall be deposited in the state Grants and Donations Trust Fund.~~

420 ~~10. Neither the court nor the department may extend the~~
421 ~~child's length of stay in placement care solely for the purpose~~
422 ~~of collecting fees.~~

423 Section 5. Paragraph (d) of subsection (4) of section
424 985.233, Florida Statutes, as amended by section 142 of chapter
425 2003-402, Laws of Florida, is amended to read:

426 985.233 Sentencing powers; procedures; alternatives for
427 juveniles prosecuted as adults.--

428 (4) SENTENCING ALTERNATIVES.--

429 (d) Recoupment of cost of care or supervision in juvenile
430 justice programs or facilities.--

431 ~~1.~~ When the court orders any child to be supervised by or
432 committed ~~commitment of a child~~ to the Department of Juvenile
433 Justice for treatment in any of the department's programs for
434 children, the court shall order the parents of such child to pay
435 fees as provided under s. 985.2311 ~~in the amount of \$5 per day~~

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436 ~~that the child is under the care or supervision of the~~
437 ~~department in order to partially offset the cost of the care,~~
438 ~~support, maintenance, and other usual and ordinary obligations~~
439 ~~of parents to provide for the needs of their children, unless~~
440 ~~the court makes a finding on the record that the parent or legal~~
441 ~~guardian of the child is indigent.~~

442 ~~2. Prior to commitment, the department shall provide the~~
443 ~~court with information concerning the actual cost of care in the~~
444 ~~recommended residential commitment level and concerning the~~
445 ~~ability of the parent or guardian of the child to pay specified~~
446 ~~fees. If the court makes a finding of indigency, the parent or~~
447 ~~guardian shall pay to the department a nominal subsistence fee~~
448 ~~of \$2 per day that the child is committed outside the home or \$1~~
449 ~~per day if the child is otherwise supervised in lieu of other~~
450 ~~fees related to the parent's obligation for the child's cost of~~
451 ~~care. The nominal subsistence fee may only be waived or reduced~~
452 ~~if the court makes a finding that such payment would constitute~~
453 ~~a significant financial hardship. Such finding shall be in~~
454 ~~writing and shall contain a detailed description of the facts~~
455 ~~that led the court to make both the finding of indigency and the~~
456 ~~finding of significant financial hardship.~~

457 ~~3. In addition, the court may reduce the fees or waive the~~
458 ~~fees as to each parent or guardian if the court makes a finding~~
459 ~~on the record that the parent or guardian was the victim of the~~
460 ~~delinquent act or violation of law for which the child is~~
461 ~~subject to commitment under this section and that the parent or~~
462 ~~guardian has cooperated in the investigation and prosecution of~~
463 ~~the offense. When the order affects the guardianship estate, a~~
464 ~~certified copy of the order shall be delivered to the judge~~

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465 ~~having jurisdiction of the guardianship estate.~~

466 ~~4. All orders committing a child to a residential~~
467 ~~commitment program shall include specific findings as to what~~
468 ~~fees are ordered, reduced, or waived. If the court fails to~~
469 ~~enter an order as required by this paragraph, it shall be~~
470 ~~presumed that the court intended the parent or guardian to pay~~
471 ~~fees to the department in an amount of \$5 per day related to the~~
472 ~~care, support, and maintenance of the child. With regard to a~~
473 ~~child who reaches the age of 18 prior to the disposition~~
474 ~~hearing, the court may elect to direct an order required by this~~
475 ~~paragraph to such child, rather than the parent or guardian.~~
476 ~~With regard to a child who reaches the age of 18 while in the~~
477 ~~eustody of the department, the court may, upon proper motion of~~
478 ~~any party, hold a hearing as to whether any party should be~~
479 ~~further obligated respecting the payment of fees.~~

480 ~~5. The clerk of the circuit court shall act as a~~
481 ~~depository for these fees. Upon each payment received, the clerk~~
482 ~~of the circuit court shall receive a fee from the total payment~~
483 ~~of 3 percent of any payment made except that no fee shall be~~
484 ~~less than \$1 nor more than \$5 per payment made. This fee shall~~
485 ~~serve as a service charge for the administration, management,~~
486 ~~and maintenance of each payment. At the end of each month, the~~
487 ~~clerk of the circuit court shall send all money collected under~~
488 ~~this section to the state Grants and Donations Trust Fund.~~

489 ~~6. The parent or guardian shall provide to the department~~
490 ~~the parent or guardian's name, address, social security number,~~
491 ~~date of birth, and driver's license number or identification~~
492 ~~card number and sufficient financial information for the~~
493 ~~department to be able to determine the parent or guardian's~~

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494 ~~ability to pay. If the parent or guardian refuses to provide the~~
495 ~~department with any identifying information or financial~~
496 ~~information, the court shall order the parent to comply and may~~
497 ~~pursue contempt of court sanctions for failure to comply.~~

498 ~~7. The department may employ a collection agency for the~~
499 ~~purpose of receiving, collecting, and managing the payment of~~
500 ~~unpaid and delinquent fees. The collection agency must be~~
501 ~~registered and in good standing under chapter 559. The~~
502 ~~department may pay to the collection agency a fee from the~~
503 ~~amount collected under the claim or may authorize the agency to~~
504 ~~deduct the fee from the amount collected. The department may~~
505 ~~also pay for collection services from available authorized~~
506 ~~funds. The Department of Juvenile Justice shall provide to the~~
507 ~~payor documentation of any amounts paid by the payor to the~~
508 ~~Department of Juvenile Justice on behalf of the child. All~~
509 ~~payments received by the department pursuant to this subsection~~
510 ~~shall be deposited in the state Grants and Donations Trust Fund.~~

511 ~~8. Neither the court nor the department may extend the~~
512 ~~child's length of stay in commitment care solely for the purpose~~
513 ~~of collecting fees.~~

514
515 It is the intent of the Legislature that the criteria and
516 guidelines in this subsection are mandatory and that a
517 determination of disposition under this subsection is subject to
518 the right of the child to appellate review under s. 985.234.

519 Section 6. Notwithstanding any contrary provision of s.
520 985.2311, Florida Statutes, for the period beginning July 1,
521 2004 through June 30, 2005, the court shall reduce the fees
522 required under that section for parents or guardians who

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523 successfully complete a voluntary parenting course approved by
524 the Department of Juvenile Justice. The amount of the reduction
525 shall be equivalent to 20 percent of the obligation owed by the
526 parent or guardian for such fees; however, the total value of
527 the reduction shall not exceed \$450. The parent or guardian
528 shall be responsible for any balance of fees associated with the
529 cost of the child's supervision or care that remains after the
530 application of the reduction authorized under this section. Any
531 reduction in the amount of the obligation owed by the parent or
532 guardian pursuant to an order of the court shall be contingent
533 upon the agreement of the parent or guardian to stay current in
534 his or her obligation for the remaining fees owed and to
535 successfully complete the parenting course and present the
536 department with notarized documentation of such completion. The
537 court shall proceed under its contempt authority against any
538 parent or guardian who, after having agreed to such conditions,
539 fails to stay current in his or her obligation for the remaining
540 balance of fees or who fails to successfully complete the
541 parenting course. Upon a finding of contempt, the court shall
542 require the parent or guardian to pay the full amount of the
543 fees as provided under s. 985.2311, Florida Statutes. A parent
544 or guardian may only have fees reduced under this section once.
545 This section shall expire June 30, 2005.

546 Section 7. This act shall take effect July 1, 2004.