

**By** the Committees on Criminal and Civil Justice Appropriations;  
and Children, Families, and Elder Affairs; and Senator Crist

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1                                   A bill to be entitled  
2           An act relating to juvenile justice; amending s.  
3           394.492, F.S.; including children 9 years of age or  
4           younger at the time of referral for a delinquent act  
5           within the definition of those children who are  
6           eligible to receive comprehensive mental health  
7           services; amending s. 435.04, F.S., relating to level  
8           2 screening standards; correcting a cross-reference;  
9           amending s. 984.03, F.S.; expanding the meaning of the  
10          term "child in need of services" to include a child 9  
11          years of age or younger at the time of referral to the  
12          Department of Juvenile Justice; amending s. 985.02,  
13          F.S.; providing additional legislative findings and  
14          intent; amending s. 985.03, F.S.; redefining the term  
15          "child in need of services" to provide that a child is  
16          eligible to receive comprehensive services if the  
17          child is 9 years of age or younger at the time of  
18          referral to the department; defining the term  
19          "ordinary medical care in department facilities and  
20          programs"; amending s. 985.125, F.S.; encouraging law  
21          enforcement agencies, school districts, counties,  
22          municipalities, and the Department of Juvenile Justice  
23          to establish prearrest or postarrest diversion  
24          programs for first-time misdemeanor offenders who are  
25          9 years of age or younger; amending s. 985.441, F.S.;  
26          providing that a court may commit a female child  
27          adjudicated as delinquent to the department for  
28          placement in a mother-infant program designed to serve  
29          the needs of the juvenile mothers or expectant

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30 juvenile mothers who are committed as delinquents;  
31 requiring the department to adopt rules to govern the  
32 operation of the mother-infant program; amending s.  
33 985.601, F.S.; requiring that the department adopt  
34 rules to ensure the effective delivery of services to  
35 children in the care and custody of the department;  
36 requiring the department to coordinate its rule-  
37 adoption process with the Department of Children and  
38 Family Services and the Agency for Persons with  
39 Disabilities; amending s. 985.644, F.S.; eliminating  
40 the exemption from background screening previously  
41 granted to a volunteer who assists on an intermittent  
42 basis for less than 40 hours per month in programs  
43 serving children if the volunteer was under direct and  
44 constant supervision by persons who meet the screening  
45 requirements; eliminating the Juvenile Justice  
46 Standards and Training Commission; providing that the  
47 department rather than the commission is responsible  
48 for juvenile justice staff development and training;  
49 detailing the minimum qualifications for juvenile  
50 justice staff of the department and contract providers  
51 who deliver direct-care services to children; amending  
52 s. 985.664, F.S.; specifying the persons, entities,  
53 and organizations with which the juvenile justice  
54 circuit boards and county councils are required to  
55 collaborate in order to facilitate interagency  
56 cooperation and information sharing; requiring the  
57 interagency collaboration agreement to specify how the  
58 entities will share information to achieve certain

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59 goals; requiring juvenile justice circuit boards and  
60 county councils to use due diligence in notifying the  
61 community of board vacancies; providing an effective  
62 date.

63  
64 Be It Enacted by the Legislature of the State of Florida:

65  
66 Section 1. Paragraph (i) is added to subsection (4) of  
67 section 394.492, Florida Statutes, to read:

68 394.492 Definitions.—As used in ss. 394.490-394.497, the  
69 term:

70 (4) "Child or adolescent at risk of emotional disturbance"  
71 means a person under 18 years of age who has an increased  
72 likelihood of becoming emotionally disturbed because of risk  
73 factors that include, but are not limited to:

74 (i) Being 9 years of age or younger at the time of referral  
75 for a delinquent act.

76 Section 2. Paragraph (b) of subsection (4) of section  
77 435.04, Florida Statutes, is amended to read:

78 435.04 Level 2 screening standards.—

79 (4) Standards must also ensure that the person:

80 (b) Has not committed an act that constitutes domestic  
81 violence as defined in s. 741.28 ~~s. 741.30~~.

82 Section 3. Subsection (9) of section 984.03, Florida  
83 Statutes, is amended to read:

84 984.03 Definitions.—When used in this chapter, the term:

85 (9) "Child in need of services" means a child for whom  
86 there is no pending investigation into an allegation or  
87 suspicion of abuse, neglect, or abandonment; no pending referral

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88 alleging that the child is delinquent, except if the child is 9  
89 years of age or younger at the time of referral to the  
90 department; or no current supervision by the department ~~of~~  
91 ~~Juvenile Justice~~ or the Department of Children and Family  
92 Services for an adjudication of dependency or delinquency. The  
93 child must also, pursuant to this chapter, be found by the  
94 court:

95 (a) To have persistently run away from the child's parents  
96 or legal custodians despite reasonable efforts of the child, the  
97 parents or legal custodians, and appropriate agencies to remedy  
98 the conditions contributing to the behavior. Reasonable efforts  
99 shall include voluntary participation by the child's parents or  
100 legal custodians and the child in family mediation, services,  
101 and treatment offered by the department ~~of Juvenile Justice~~ or  
102 the Department of Children and Family Services;

103 (b) To be habitually truant from school, while subject to  
104 compulsory school attendance, despite reasonable efforts to  
105 remedy the situation pursuant to ss. 1003.26 and 1003.27 and  
106 through voluntary participation by the child's parents or legal  
107 custodians and by the child in family mediation, services, and  
108 treatment offered by the department ~~of Juvenile Justice~~ or the  
109 Department of Children and Family Services; ~~or~~

110 (c) To have persistently disobeyed the reasonable and  
111 lawful demands of the child's parents or legal custodians, and  
112 to be beyond their control despite efforts by the child's  
113 parents or legal custodians and appropriate agencies to remedy  
114 the conditions contributing to the behavior. Reasonable efforts  
115 may include such things as good faith participation in family or  
116 individual counseling; or.

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117 (d) To be 9 years of age or younger and have been referred  
118 to the department for committing a delinquent act.

119 Section 4. Subsection (9) is added to section 985.02,  
120 Florida Statutes, to read:

121 985.02 Legislative intent for the juvenile justice system.-

122 (9) CHILDREN 9 YEARS OF AGE OR YOUNGER.-The Legislature  
123 finds that very young children need age-appropriate services in  
124 order to prevent and reduce future acts of delinquency. Children  
125 who are 9 years of age or younger who have been determined by  
126 the court to pose no danger to the community and are unlikely to  
127 recidivate, should be diverted into prearrest or postarrest  
128 programs, civil citation programs, or children-in-need-of-  
129 services and families-in-need-of-services programs, as  
130 appropriate. If, upon findings from the needs assessment, the  
131 child is found to be in need of mental health services or  
132 substance abuse treatment services, the department shall  
133 cooperate with the parent or legal guardian and the Department  
134 of Children and Family Services, as appropriate, to identify the  
135 most appropriate services and supports and available funding  
136 sources to meet the needs of the child.

137 Section 5. Subsection (7) of section 985.03, Florida  
138 Statutes, is amended, present subsections (39) through (57) are  
139 redesignated as subsections (40) through (58), respectively, and  
140 a new subsection (39) is added to that section, to read:

141 985.03 Definitions.-As used in this chapter, the term:

142 (7) "Child in need of services" means a child for whom  
143 there is no pending investigation into an allegation or  
144 suspicion of abuse, neglect, or abandonment; no pending referral  
145 alleging that the child is delinquent, except if the child is 9

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146 years of age or younger at the time of referral to the  
147 department; or no current supervision by the department or the  
148 Department of Children and Family Services for an adjudication  
149 of dependency or delinquency. The child must also, under this  
150 chapter, be found by the court:

151 (a) To have persistently run away from the child's parents  
152 or legal custodians despite reasonable efforts of the child, the  
153 parents or legal custodians, and appropriate agencies to remedy  
154 the conditions contributing to the behavior. Reasonable efforts  
155 shall include voluntary participation by the child's parents or  
156 legal custodians and the child in family mediation, services,  
157 and treatment offered by the department or the Department of  
158 Children and Family Services;

159 (b) To be habitually truant from school, while subject to  
160 compulsory school attendance, despite reasonable efforts to  
161 remedy the situation under ss. 1003.26 and 1003.27 and through  
162 voluntary participation by the child's parents or legal  
163 custodians and by the child in family mediation, services, and  
164 treatment offered by the department ~~of Juvenile Justice~~ or the  
165 Department of Children and Family Services; ~~or~~

166 (c) To have persistently disobeyed the reasonable and  
167 lawful demands of the child's parents or legal custodians, and  
168 to be beyond their control despite efforts by the child's  
169 parents or legal custodians and appropriate agencies to remedy  
170 the conditions contributing to the behavior. Reasonable efforts  
171 may include such things as good faith participation in family or  
172 individual counseling; or

173 (d) To have been referred for a delinquent act at the age  
174 of 9 years or younger.

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175       (39) "Ordinary medical care in department facilities and  
176 programs" means medical procedures that are administered or  
177 performed on a routine basis and include, but are not limited  
178 to, inoculations, physical examinations, remedial treatment for  
179 minor illnesses and injuries, preventive services, medication  
180 management, chronic disease detection and treatment, and other  
181 medical procedures that are administered or performed on a  
182 routine basis and that do not involve hospitalization, surgery,  
183 or use of general anesthesia.

184       Section 6. Subsection (1) of section 985.125, Florida  
185 Statutes, is amended to read:

186       985.125 Prearrest or postarrest diversion programs.—

187       (1) A law enforcement agency, ~~or~~ school district, county,  
188 municipality, or the department, in cooperation with the state  
189 attorney, is encouraged to may establish a prearrest or  
190 postarrest diversion programs for first-time misdemeanor  
191 offenders and offenders who are 9 years of age or younger  
192 program.

193       Section 7. Paragraph (e) is added to subsection (1) of  
194 section 985.441, Florida Statutes, to read:

195       985.441 Commitment.—

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

200       (e) Commit the child to the department for placement in a  
201 mother-infant program designed to serve the needs of the  
202 juvenile mothers or expectant juvenile mothers who are committed  
203 as delinquents. The department's mother-infant program must be

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204 licensed as a child care facility in accordance with s. 402.308,  
205 and must provide the services and support necessary to enable  
206 the committed juvenile mothers to provide for the needs of their  
207 infants who, upon agreement of the mother, may accompany them in  
208 the program. The department shall adopt rules to govern the  
209 operation of such programs.

210 Section 8. Subsection (2) of section 985.601, Florida  
211 Statutes, is amended to read:

212 985.601 Administering the juvenile justice continuum.—

213 (2)(a) The department shall develop and implement an  
214 appropriate continuum of care that provides individualized,  
215 multidisciplinary assessments, objective evaluations of relative  
216 risks, and the matching of needs with placements for all  
217 children under its care, and that uses a system of case  
218 management to facilitate each child being appropriately  
219 assessed, provided with services, and placed in a program that  
220 meets the child's needs.

221 (b) The department shall adopt rules to ensure the  
222 effective delivery of services to children in the department's  
223 care and custody. The rules must address the delivery of:

224 1. Ordinary medical care in department facilities and  
225 programs;

226 2. Mental health services in department facilities and  
227 programs;

228 3. Substance abuse treatment services in department  
229 facilities and programs; and

230 4. Services to children with developmental disabilities in  
231 department facilities and programs.

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233 The department shall coordinate its rulemaking with the  
234 Department of Children and Family Services and the Agency for  
235 Persons with Disabilities to ensure that the rules adopted under  
236 this section do not encroach upon the substantive jurisdiction  
237 of those agencies. The department shall include the above-  
238 mentioned entities in the rulemaking process, as appropriate.

239 Section 9. Section 985.644, Florida Statutes, is amended to  
240 read:

241 985.644 Departmental contracting powers; personnel  
242 standards and screening.—

243 (1) ~~The department of Juvenile Justice or the Department of~~  
244 ~~Children and Family Services, as appropriate,~~ may contract with  
245 the Federal Government, other state departments and agencies,  
246 county and municipal governments and agencies, public and  
247 private agencies, and private individuals and corporations in  
248 carrying out the purposes of, and the responsibilities  
249 established in, this chapter.

250 (a) When the department ~~of Juvenile Justice or the~~  
251 ~~Department of Children and Family Services~~ contracts with a  
252 provider for any program for children, all personnel, including  
253 owners, operators, employees, and volunteers, in the facility  
254 must be of good moral character. Each contract entered into by  
255 either department for services delivered on an appointment or  
256 intermittent basis by a provider that does not have regular  
257 custodial responsibility for children and each contract with a  
258 school for before or aftercare services must ensure that the  
259 owners, operators, and all personnel who have direct contact  
260 with children are of good moral character. ~~A volunteer who~~  
261 ~~assists on an intermittent basis for less than 40 hours per~~

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262 ~~month need not be screened if the volunteer is under direct and~~  
263 ~~constant supervision by persons who meet the screening~~  
264 ~~requirements.~~

265 (b) ~~The department of Juvenile Justice and the Department~~  
266 ~~of Children and Family Services~~ shall require employment  
267 screening pursuant to chapter 435, using the level 2 standards  
268 set forth in that chapter for personnel in programs for children  
269 or youths.

270 (c) ~~The department of Juvenile Justice or the Department of~~  
271 ~~Children and Family Services~~ may grant exemptions from  
272 disqualification from working with children as provided in s.  
273 435.07.

274 (2) The department may contract with the Federal  
275 Government, other state departments and agencies, county and  
276 municipal governments and agencies, public and private agencies,  
277 and private individuals and corporations in carrying out the  
278 purposes and the responsibilities of the delinquency services  
279 and programs of the department.

280 (3) The department shall adopt a rule pursuant to chapter  
281 120 establishing a procedure to provide notice of policy changes  
282 that affect contracted delinquency services and programs. A  
283 policy is defined as an operational requirement that applies to  
284 only the specified contracted delinquency service or program.  
285 The procedure shall include:

286 (a) Public notice of policy development.

287 (b) Opportunity for public comment on the proposed policy.

288 (c) Assessment for fiscal impact upon the department and  
289 providers.

290 (d) The department's response to comments received.

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291 ~~(4) When the department contracts with a provider for any~~  
292 ~~delinquency service or program, all personnel, including all~~  
293 ~~owners, operators, employees, and volunteers in the facility or~~  
294 ~~providing the service or program shall be of good moral~~  
295 ~~character. A volunteer who assists on an intermittent basis for~~  
296 ~~less than 40 hours per month is not required to be screened if~~  
297 ~~the volunteer is under direct and constant supervision by~~  
298 ~~persons who meet the screening requirements.~~

299 (4) ~~(5)~~ (a) For any person employed by the department, or by  
300 a provider under contract with the department, in delinquency  
301 facilities, services, or programs, the department shall require:

302 1. A level 2 employment screening pursuant to chapter 435  
303 prior to employment.

304 2. A federal criminal records check by the Federal Bureau  
305 of Investigation every 5 years following the date of the  
306 person's employment.

307 (b) Except for law enforcement, correctional, and  
308 correctional probation officers, to whom s. 943.13(5) applies,  
309 the department shall electronically submit to the Department of  
310 Law Enforcement:

311 1. Fingerprint information obtained during the employment  
312 screening required by subparagraph (a)1.

313 2. ~~Beginning on December 15, 2005,~~ Fingerprint information  
314 for all persons employed by the department, or by a provider  
315 under contract with the department, in delinquency facilities,  
316 services, or programs if such fingerprint information has not  
317 previously been electronically submitted to the Department of  
318 Law Enforcement under this paragraph.

319 (c) All fingerprint information electronically submitted to

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320 the Department of Law Enforcement under paragraph (b) shall be  
321 retained by the Department of Law Enforcement and entered into  
322 the statewide automated fingerprint identification system  
323 authorized by s. 943.05(2)(b). Thereafter, such fingerprint  
324 information shall be available for all purposes and uses  
325 authorized for arrest fingerprint information entered into the  
326 statewide automated fingerprint identification system pursuant  
327 to s. 943.051 until the fingerprint information is removed  
328 pursuant to paragraph (e). The Department of Law Enforcement  
329 shall search all arrest fingerprint information received  
330 pursuant to s. 943.051 against the fingerprint information  
331 entered into the statewide automated fingerprint system pursuant  
332 to this subsection. Any arrest records identified as a result of  
333 the search shall be reported to the department in the manner and  
334 timeframe established by the Department of Law Enforcement by  
335 rule.

336 (d) The department shall pay an annual fee to the  
337 Department of Law Enforcement for its costs resulting from the  
338 fingerprint information retention services required by this  
339 subsection. The amount of the annual fee and procedures for the  
340 submission and retention of fingerprint information and for the  
341 dissemination of search results shall be established by the  
342 Department of Law Enforcement by a rule that is applicable to  
343 the department individually pursuant to this subsection or that  
344 is applicable to the department and other employing agencies  
345 pursuant to rulemaking authority otherwise provided by law.

346 (e) The department shall notify the Department of Law  
347 Enforcement when a person whose fingerprint information is  
348 retained by the Department of Law Enforcement under this

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349 subsection is no longer employed by the department, or by a  
350 provider under contract with the department, in a delinquency  
351 facility, service, or program. This notice shall be provided by  
352 the department to the Department of Law Enforcement no later  
353 than 6 months after the date of the change in the person's  
354 employment status. Fingerprint information for persons  
355 identified by the department in the notice shall be removed from  
356 the statewide automated fingerprint system.

357 (5)~~(6)~~ The department may grant exemptions from  
358 disqualification from working with children as provided in s.  
359 435.07.

360 Section 10. Section 985.66, Florida Statutes, is amended to  
361 read:

362 985.66 Juvenile justice training academies; staff  
363 development and training ~~Juvenile Justice Standards and Training~~  
364 ~~Commission~~; Juvenile Justice Training Trust Fund.—

365 (1) LEGISLATIVE PURPOSE.—In order to enable the state to  
366 provide a systematic approach to staff development and training  
367 for judges, state attorneys, public defenders, law enforcement  
368 officers, school district personnel, and juvenile justice  
369 program staff that will meet the needs of such persons in their  
370 discharge of duties while at the same time meeting the  
371 requirements for the American Correction Association  
372 accreditation by the Commission on Accreditation for  
373 Corrections, it is the purpose of the Legislature to require the  
374 department to establish, maintain, and oversee the operation of  
375 juvenile justice training academies in the state. The purpose of  
376 the Legislature in establishing staff development and training  
377 programs is to foster better staff morale and reduce

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378 mistreatment and aggressive and abusive behavior in delinquency  
379 programs; to positively impact the recidivism of children in the  
380 juvenile justice system; and to afford greater protection of the  
381 public through an improved level of services delivered by a  
382 professionally trained juvenile justice program staff to  
383 children who are alleged to be or who have been found to be  
384 delinquent.

385       (2) STAFF DEVELOPMENT AND TRAINING ~~JUVENILE JUSTICE~~  
386 ~~STANDARDS AND TRAINING COMMISSION.~~—

387       ~~(a) There is created under the Department of Juvenile~~  
388 ~~Justice the Juvenile Justice Standards and Training Commission,~~  
389 ~~hereinafter referred to as the commission. The 17-member~~  
390 ~~commission shall consist of the Attorney General or designee,~~  
391 ~~the Commissioner of Education or designee, a member of the~~  
392 ~~juvenile court judiciary to be appointed by the Chief Justice of~~  
393 ~~the Supreme Court, and 14 members to be appointed by the~~  
394 ~~Secretary of Juvenile Justice as follows:~~

395           1. ~~Seven members shall be juvenile justice professionals: a~~  
396 ~~superintendent or a direct care staff member from an~~  
397 ~~institution; a director from a contracted community-based~~  
398 ~~program; a superintendent and a direct care staff member from a~~  
399 ~~regional detention center or facility; a juvenile probation~~  
400 ~~officer supervisor and a juvenile probation officer; and a~~  
401 ~~director of a day treatment or conditional release program. No~~  
402 ~~fewer than three of these members shall be contract providers.~~

403           2. ~~Two members shall be representatives of local law~~  
404 ~~enforcement agencies.~~

405           3. ~~One member shall be an educator from the state's~~  
406 ~~university and community college program of criminology,~~

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407 ~~eriminal justice administration, social work, psychology,~~  
408 ~~sociology, or other field of study pertinent to the training of~~  
409 ~~juvenile justice program staff.~~

410 ~~4. One member shall be a member of the public.~~

411 ~~5. One member shall be a state attorney, or assistant state~~  
412 ~~attorney, who has juvenile court experience.~~

413 ~~6. One member shall be a public defender, or assistant~~  
414 ~~public defender, who has juvenile court experience.~~

415 ~~7. One member shall be a representative of the business~~  
416 ~~community.~~

417  
418 ~~All appointed members shall be appointed to serve terms of 2~~  
419 ~~years.~~

420 ~~(b) The composition of the commission shall be broadly~~  
421 ~~reflective of the public and shall include minorities and women.~~  
422 ~~The term "minorities" as used in this paragraph means a member~~  
423 ~~of a socially or economically disadvantaged group that includes~~  
424 ~~blacks, Hispanics, and American Indians.~~

425 ~~(c) The Department of Juvenile Justice shall provide the~~  
426 ~~commission with staff necessary to assist the commission in the~~  
427 ~~performance of its duties.~~

428 ~~(d) The commission shall annually elect its chairperson and~~  
429 ~~other officers. The commission shall hold at least four regular~~  
430 ~~meetings each year at the call of the chairperson or upon the~~  
431 ~~written request of three members of the commission. A majority~~  
432 ~~of the members of the commission constitutes a quorum. Members~~  
433 ~~of the commission shall serve without compensation but are~~  
434 ~~entitled to be reimbursed for per diem and travel expenses as~~  
435 ~~provided by s. 112.061 and these expenses shall be paid from the~~

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436 ~~Juvenile Justice Training Trust Fund.~~

437 ~~(e) The department powers, duties, and functions of the~~  
438 ~~commission shall be to:~~

439 ~~(a)1.~~ Designate the location of the training academies;  
440 develop, implement, maintain, and update the curriculum to be  
441 used in the training of delinquency ~~juvenile justice~~ program  
442 staff; establish timeframes for participation in and completion  
443 of training by delinquency ~~juvenile justice~~ program staff;  
444 develop, implement, maintain, and update job-related  
445 examinations; develop, implement, and update the types and  
446 frequencies of evaluations of the training academies; approve,  
447 modify, or disapprove the budget for the training academies, and  
448 the contractor to be selected to organize and operate the  
449 training academies and to provide the training curriculum.

450 ~~(b)2.~~ Establish uniform minimum job-related training  
451 courses and examinations for delinquency ~~juvenile justice~~  
452 program staff.

453 ~~(c)3.~~ Consult and cooperate with the state or any political  
454 subdivision; any private entity or contractor; and with private  
455 and public universities, colleges, community colleges, and other  
456 educational institutions concerning the development of juvenile  
457 justice training and programs or courses of instruction,  
458 including, but not limited to, education and training in the  
459 areas of juvenile justice.

460 ~~(d)4. Enter into~~ With the approval of the department, make  
461 ~~and enter into such~~ contracts and agreements with other  
462 agencies, organizations, associations, corporations,  
463 individuals, or federal agencies as ~~the commission determines~~  
464 are necessary in the execution of the its powers of the



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465 department or the performance of its duties.

466 ~~5. Make recommendations to the Department of Juvenile~~  
467 ~~Justice concerning any matter within the purview of this~~  
468 ~~section.~~

469 (3) JUVENILE JUSTICE TRAINING PROGRAM.—The department  
470 ~~commission~~ shall establish a certifiable program for juvenile  
471 justice training pursuant to this section, and all delinquency  
472 ~~department~~ program staff and ~~providers~~ who deliver direct care  
473 services ~~pursuant to contract with the department~~ shall be  
474 required to participate in and successfully complete the  
475 department-approved ~~commission-approved~~ program of training  
476 pertinent to their areas of responsibility. Judges, state  
477 attorneys, and public defenders, law enforcement officers, and  
478 school district personnel may participate in such training  
479 program. For the delinquency juvenile justice program staff, the  
480 department ~~commission~~ shall, based on a job-task analysis:

481 (a) Design, implement, maintain, evaluate, and revise a  
482 basic training program, including a competency-based  
483 examination, for the purpose of providing minimum employment  
484 training qualifications for all juvenile justice personnel. All  
485 program staff of the department and providers who deliver  
486 direct-care services who are hired after October 1, 1999, must  
487 meet the following minimum requirements:

488 1. Be at least 19 years of age.

489 2. Be a high school graduate or its equivalent as  
490 determined by the department ~~commission~~.

491 3. Not have been convicted of any felony or a misdemeanor  
492 involving perjury or a false statement, or have received a  
493 dishonorable discharge from any of the Armed Forces of the

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494 United States. Any person who, after September 30, 1999, pleads  
495 guilty or nolo contendere to or is found guilty of any felony or  
496 a misdemeanor involving perjury or false statement is not  
497 eligible for employment, notwithstanding suspension of sentence  
498 or withholding of adjudication. Notwithstanding this  
499 subparagraph, any person who pled nolo contendere to a  
500 misdemeanor involving a false statement before October 1, 1999,  
501 and who has had such record of that plea sealed or expunged is  
502 not ineligible for employment for that reason.

503 4. Abide by all the provisions of s. 985.644(1) regarding  
504 fingerprinting and background investigations and other screening  
505 requirements for personnel.

506 5. Execute and submit to the department an affidavit-of-  
507 application form, adopted by the department, attesting to his or  
508 her compliance with subparagraphs 1.-4. The affidavit must be  
509 executed under oath and constitutes an official statement under  
510 s. 837.06. The affidavit must include conspicuous language that  
511 the intentional false execution of the affidavit constitutes a  
512 misdemeanor of the second degree. The employing agency shall  
513 retain the affidavit.

514 (b) Design, implement, maintain, evaluate, and revise an  
515 advanced training program, including a competency-based  
516 examination for each training course, which is intended to  
517 enhance knowledge, skills, and abilities related to job  
518 performance.

519 (c) Design, implement, maintain, evaluate, and revise a  
520 career development training program, including a competency-  
521 based examination for each training course. Career development  
522 courses are intended to prepare personnel for promotion.

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523 (d) The department ~~commission~~ is encouraged to design,  
524 implement, maintain, evaluate, and revise juvenile justice  
525 training courses, or to enter into contracts for such training  
526 courses, that are intended to provide for the safety and well-  
527 being of both citizens and juvenile offenders.

528 (4) JUVENILE JUSTICE TRAINING TRUST FUND.—

529 (a) There is created within the State Treasury a Juvenile  
530 Justice Training Trust Fund to be used by the Department of  
531 Juvenile Justice for the purpose of funding the development and  
532 updating of a job-task analysis of delinquency program staff  
533 ~~juvenile justice personnel~~; the development, implementation, and  
534 updating of job-related training courses and examinations; and  
535 the cost of ~~commission-approved~~ juvenile justice training  
536 courses; ~~and reimbursement for expenses as provided in s.~~  
537 ~~112.061 for members of the commission and staff.~~

538 (b) One dollar from every noncriminal traffic infraction  
539 collected pursuant to ss. 318.14(10)(b) and 318.18 shall be  
540 deposited into the Juvenile Justice Training Trust Fund.

541 (c) In addition to the funds generated by paragraph (b),  
542 the trust fund may receive funds from any other public or  
543 private source.

544 (d) Funds that are not expended by the end of the budget  
545 cycle or through a supplemental budget approved by the  
546 department shall revert to the trust fund.

547 (5) ESTABLISHMENT OF JUVENILE JUSTICE TRAINING ACADEMIES.—  
548 The number, location, and establishment of juvenile justice  
549 training academies shall be determined by the department  
550 ~~commission~~.

551 (6) SCHOLARSHIPS AND STIPENDS.—

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552 (a) By rule, the department ~~commission~~ shall establish  
553 criteria to award scholarships or stipends to qualified  
554 delinquency program staff ~~juvenile justice personnel~~ who are  
555 residents of the state who want to pursue a bachelor's or  
556 associate in arts degree in juvenile justice or a related field.  
557 The department shall handle the administration of the  
558 scholarship or stipend. The Department of Education shall handle  
559 the notes issued for the payment of the scholarships or  
560 stipends. All scholarship and stipend awards shall be paid from  
561 the Juvenile Justice Training Trust Fund upon vouchers approved  
562 by the Department of Education and properly certified by the  
563 Chief Financial Officer. Prior to the award of a scholarship or  
564 stipend, the delinquency program staff ~~juvenile justice employee~~  
565 must agree in writing to practice her or his profession in  
566 juvenile justice or a related field for 1 month for each month  
567 of grant or to repay the full amount of the scholarship or  
568 stipend together with interest at the rate of 5 percent per  
569 annum over a period not to exceed 10 years. Repayment shall be  
570 made payable to the state for deposit into the Juvenile Justice  
571 Training Trust Fund.

572 (b) The department ~~commission~~ may establish the scholarship  
573 program by rule ~~and implement the program on or after July 1,~~  
574 ~~1996.~~

575 (7) ADOPTION OF RULES.—The department ~~commission~~ shall  
576 adopt rules as necessary to administer ~~carry out the provisions~~  
577 ~~of~~ this section.

578 (8) PARTICIPATION OF CERTAIN PROGRAMS IN THE STATE RISK  
579 MANAGEMENT TRUST FUND.—Pursuant to s. 284.30, the Division of  
580 Risk Management of the Department of Financial Services is

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581 authorized to insure a private agency, individual, or  
582 corporation operating a state-owned training school under a  
583 contract to carry out the purposes and responsibilities of any  
584 program of the department. The coverage authorized herein shall  
585 be under the same general terms and conditions as the department  
586 is insured for its responsibilities under chapter 284.

587 (9) DELINQUENCY PROGRAM STAFF DEFINED.—As used in this  
588 section, the term “delinquency program staff” means supervisory  
589 and direct care staff of a delinquency program as well as  
590 support staff who have direct contact with children in a  
591 delinquency program that is owned and operated by the  
592 department. ~~The Juvenile Justice Standards and Training~~  
593 ~~Commission is terminated on June 30, 2001, and such termination~~  
594 ~~shall be reviewed by the Legislature prior to that date.~~

595 Section 11. Subsection (3) of section 985.664, Florida  
596 Statutes, is amended to read:

597 985.664 Juvenile justice circuit boards and juvenile  
598 justice county councils.—

599 (3) Juvenile justice circuit boards and county councils  
600 shall also participate in facilitating interagency cooperation  
601 and information sharing with local school authorities, law  
602 enforcement agencies, state attorneys, public defenders,  
603 judicial entities, local representatives of the department, the  
604 Department of Children and Family Services, and faith-based and  
605 community-based organizations for the purpose of forwarding the  
606 goals of the county or circuit plan. An interagency  
607 collaboration agreement shall specify how the community's  
608 entities will cooperate, collaborate, and share information in  
609 order to achieve the goals of the juvenile justice prevention

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610 and early intervention plan or the comprehensive plan for the  
611 circuit. Juvenile justice circuit boards and county councils  
612 shall use due diligence in notifying the community of board  
613 vacancies through various community outreach outlets, such as  
614 community newspapers, churches, and free public announcements.

615 Section 12. This act shall take effect July 1, 2009.