1   A bill to be entitled

2   An act relating to community courts; creating s.

3   948.081, F.S.; authorizing the establishment of

4   community court programs; providing program criteria;

5   providing that such programs are voluntary; providing

6   for appointment of a resource coordinator; providing

7   for program advisory committees; requiring data

8   reporting; requiring support from specified agencies;

9   specifying funding requirements; providing an

10   effective date.

11

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

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14   Section 1. Section 948.081, Florida Statutes, is created

15   to read:

16   948.081 Community court programs.—

17   (1) Each judicial circuit may establish a community court

18   program for defendants charged with certain misdemeanor

19   offenses. Each community court shall, at a minimum:

20   (a) Adopt a nonadversarial approach.

21   (b) Establish an advisory committee to recommend solutions

22   and sanctions in each case.

23   (c) Provide for judicial leadership and interaction.

24   (d) In each particular case, consider the needs of the

25   victim, consider individualized treatment services for the

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26 defendant, and monitor the defendant's compliance.

27   (2) The chief judge of the judicial circuit shall, by

28 administrative order, specify each misdemeanor offense eligible

29 for the community court program. In making such determination,

30 the chief judge shall consider the particular needs and concerns

31 of the communities within the judicial circuit.

32   (3) A defendant's entry into any community court program

33 shall be voluntary.

34   (4) The chief judge shall appoint a community court

35 resource coordinator, who shall:

36   (a) Coordinate the responsibilities of the participating

37 agencies and service providers.

38   (b) Provide case management services.

39   (c) Monitor compliance by defendants with court

40 requirements.

41   (d) Manage the collection of data for program evaluation

42 and accountability.

43   (5) The chief judge of the judicial circuit shall appoint

44 members to an advisory committee for each community court. The

45 members of the advisory committee must include, at a minimum:

46   (a) The chief judge or a community court judge designated

47 by the chief judge, who shall serve as chair.

48   (b) The state attorney or his or her designee.

49   (c) The public defender or his or her designee.

50   (d) The community court resource coordinator.

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52 The committee may also include community stakeholders, treatment
53 representatives, and other persons the chair deems appropriate.
54   (6)   The advisory committee shall review each defendant's
55 case. Each committee member may make recommendations to the
56 judge, including appropriate sanctions and treatment solutions
57 for the defendant. The judge shall consider such recommendations
58 and make the final decision concerning sanctions and treatment
59 with respect to each defendant.
60   (7)   Each judicial circuit shall report client-level and
61 programmatic data to the Office of State Courts Administrator
62 annually for program evaluation. Client-level data include
63 primary offenses resulting in the community court referral or
64 sentence, treatment compliance, completion status, reasons for
65 failing to complete the program, offenses committed during
66 treatment and sanctions imposed, frequency of court appearances,
67 and units of service. Programmatic data include referral and
68 screening procedures, eligibility criteria, type and duration of
69 treatment offered, and residential treatment resources.
70   (8)   The Department of Corrections, Department of Juvenile
71 Justice, Department of Health, Department of Law Enforcement,
72 Department of Education, law enforcement agencies, and other
73 government entities involved in the criminal justice system
74 shall support such community court programs.
75   (9)   Community court program funding must be secured from

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76 sources other than the state for costs not assumed by the state

77 under s. 29.004. However, this subsection does not preclude the

78 use of funds provided for treatment and other services through

79 state executive branch agencies.

80   Section 2. This act shall take effect July 1, 2019.