

**IN THE SECOND JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA**

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER 2012-01

IN RE: LEON COUNTY JUVENILE DRUG COURT PROGRAM

WHEREAS, it is the intent of the Florida Legislature as found in section 397.334, Florida Statutes, that “[e]ach county may fund a treatment-based drug court program under which persons in the justice system assessed with a substance abuse problem will be processed in such a manner as to appropriately address the severity of the identified substance abuse problem through treatment services tailored to the individual needs of the participant”; and

WHEREAS, the Chief Judge appointed a Juvenile Drug Court Planning Committee in 1995 to assess the feasibility and need for a Leon County Juvenile Drug Court Program; and

WHEREAS, based upon the recommendation of the Juvenile Drug Court Planning Committee, and funding provided by a Federal Law Enforcement Block Grant Program, the Chief Judge authorized the establishment of a pretrial treatment-based Leon County Juvenile Drug Court Program through Administrative Order 97-03; and

WHEREAS, the Leon County Juvenile Drug Court Program has provided a proven and effective alternative to traditional case disposition in the Second Judicial Circuit; and

WHEREAS, although limited funding is available from the Florida Department of Children and Families to continue the Leon County Juvenile Drug Court Program, additional revenue must be raised from participants to maintain fiscal viability;

IT IS THEREFORE ORDERED THAT:

1. The Leon County Juvenile Drug Court Program (hereinafter Program) is hereby continued for the Family Division of the Second Judicial Circuit in and for Leon County.

2. The participants for this Program shall include substance-involved juvenile delinquency defendants who may also have mental health issues. These participants will not have an extensive juvenile delinquency history and shall include:

a. Juvenile delinquency defendants charged with a drug or alcohol related misdemeanor, felony, or other offenses where the underlying factor is a substance abuse issue;

b. Juvenile delinquency defendants that are physically and mentally stable and agree to participate in the pretrial substance abuse treatment-based Program; and



c. Juvenile delinquency defendants who are not in need of extensive detoxification, emergency medical care, or hospitalization for medical and mental health conditions.

3. Screening of eligible Program participants shall be the responsibility of the Juvenile Assessment Center (JAC), State Attorney's Office, or the Department of Juvenile Justice. Those juveniles screened and deemed appropriate candidates for the Program shall be recommended to the juvenile court at the earliest scheduled court appearance by the JAC case staffing team, or other court party.

4. Juvenile delinquency defendants referred to Program shall be afforded the opportunity to speak with a Public Defender and the Program provider, given an overview of the purpose and requirements for participation in the Program, and asked if they choose to voluntarily participate in the Program. If juvenile delinquency defendant agrees to participate in the program, and there is no objection, they shall be assigned to the Program. Participants are required to sign a Juvenile Drug Court Agreement, which will specify the requirements for successful completion of the Program, which include compliance with all required drug treatment services.

5. Program participants shall be placed on a regularly scheduled juvenile delinquency drug court docket, to occur at least monthly, to ensure monitoring and compliance with the Program. The state attorney, public defender, private attorney, or defendant may request that participation in the Program either continue or cease at these hearings based upon participant success or failure with the Program. If the participant successfully completes the Program, the deferred but pending charge(s) shall be dismissed.

6. Each participant shall be assessed an initial \$60.00 fee upon admission into the Program. An additional fee of \$20.00 shall be assessed for any positive urinalysis result once a participant has shown that they are testing negative for all substances subsequent to their initial admission into the Program.

7. The order shall be effective immediately, whereupon Administrative Order 97-03 shall be superseded and terminated, and this order shall remain in effect until modified or terminated by subsequent order.

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida, this 14th day of February, 2012.

Charles A. Francis

CHARLES A. FRANCIS
Chief Judge

Copies furnished to:
All Circuit and County Judges, Second Judicial Circuit
Clerk of Circuit Court, Leon County
Public Defender, Second Judicial Circuit
State Attorney, Second Judicial Circuit



UNOFFICIAL DOCUMENT