

THE EIGHTH JUDICIAL CIRCUIT OF FLORIDA  
ADMINISTRATIVE ORDER NO. 6.10

**JUVENILE DRUG COURT**

**WHEREAS**, drug and drug-related cases constitute a significant portion of the overall juvenile delinquency caseload in the Eighth Judicial Circuit, thereby indicating drug and drug-related offenses are having a considerable adverse impact in the community served by the Eighth Judicial Circuit Court and on the resources of the juvenile justice system; and

**WHEREAS**, the Governor of Florida and the Supreme Court of Florida have made drug court expansion a priority, and have urged all circuits in Florida to have an operational adult and juvenile drug court; and

**WHEREAS**, there is strong community support for providing these services, as well as support from the State Attorney, the Public Defender, Department of Juvenile Justice and local law enforcement; and

**WHEREAS**, the Court Administrator's Office of the Eighth Judicial Circuit, in partnership with other agencies, determined that a juvenile drug court for juveniles who have been arrested on drug or drug-related offenses was feasible and practicable. It is therefore

**ORDERED:**

1. The Eighth Judicial Circuit Juvenile Drug Court Program ("Program") is hereby established. The Program will begin in Alachua County with expansion into regional counties as resources become available.

2. The Administrative Judge of the Family Court Division, after consultation with the Juvenile Delinquency Court Judge and approval of the Chief Judge, will designate someone other than the Juvenile Delinquency Court Judge to act as the Juvenile Drug Court Judge. In the absence of any such designation, the Juvenile Delinquency Court Judge shall preside over Juvenile Drug Court.

3. The Program will follow the post-adjudicatory model, allowing juveniles to enter Juvenile Drug Court as a condition of their probation or conditional release.

4. The treatment portion of the Program will consist of a multi-phase treatment model of services, to include intensive outpatient counseling, random urinalysis, case management, and crisis support to be provided by the treatment provider. The provider agency will work in tandem with the Department of Juvenile Justice to provide the treatment required by each participant, and will be a member of the Eighth Judicial Circuit Juvenile Drug Court Team, allowing for information regarding the juvenile to be forwarded to the Juvenile Drug Court judge.

5. Participants for the Program will be selected from juveniles with drug or drug-related charges, including charges that result from or are engendered by drug usage. Such juveniles shall be screened for program eligibility by the treatment provider. Eligibility criteria for participation in the Program includes:

- a. The juvenile is a moderate to heavy drug user.
- b. The juvenile is not believed to be a danger to the community.
- c. The juvenile appears willing and able to participate in the Program; and
- d. The juvenile meets the criteria for commitment.

6. No juvenile will be referred to the Program unless the State Attorney and the juvenile's defense counsel agree with the referral and the Juvenile Delinquency Court approves the referral. Before seeking Court approval of a referral to the Program, the juvenile shall be pre-screened to determine if the juvenile meets program eligibility criteria. Court approval may be requested at any time following an adjudicatory hearing or acceptance of a plea. The Juvenile Delinquency Court Judge may or may not require a pre-disposition report before approving a referral to the Program. However, a pre-disposition report and a drug court assessment shall be completed on each juvenile whose referral to the Program is approved. Disposition in cases approved for referral to the Program shall be scheduled before the Juvenile Drug Court Judge with notice to the juvenile and the juvenile's parent or guardian.

7. At the disposition hearing before the Juvenile Drug Court Judge, the judge shall make a final determination regarding the juvenile's acceptance into the Program. If the judge finds that the juvenile is suitable for participation in the Program, said participation shall be made a condition of the juvenile's probation or post-commitment probation together with the other conditions and requirements imposed by the Court. When the juvenile has successfully completed the Program, on the request of any interested party, the Juvenile Drug Court Judge may enter an order terminating the case. All juveniles shall be advised that failure to comply with the requirements of the Program can result in commitment.

8. If, for any reason, the Juvenile Drug Court Judge declines to accept a juvenile into the Program, then the juvenile's case will return to the juvenile delinquency judge for disposition and further proceedings as necessary.

9. The Eighth Judicial Circuit Juvenile Drug Court team shall consist of the Juvenile Drug Court judge, the drug court coordinator, an assistant state attorney, an assistant public defender, a juvenile probation officer, a treatment provider staff person, and a school representative. The team shall meet prior to each Juvenile Drug Court session, review the current cases and make determinations on new referrals.

10. Juvenile Drug Court will be in session one day a week as directed by the Juvenile Drug Court Judge. Staffings shall be held on the day Juvenile Drug Court is scheduled. Initially, all Program participants shall attend court on a weekly basis. A juvenile's court attendance may be reduced as the juvenile proceeds through the Program. Any notices that are needed will be provided in open court.

11. In the event that the Juvenile Drug Court team or the juvenile's probation officer concludes that the juvenile should be removed from the Program, the juvenile will be returned to the delinquency court judge for appropriate sanctions. Violations of probation shall be filed in juvenile court and heard by the juvenile delinquency court judge.

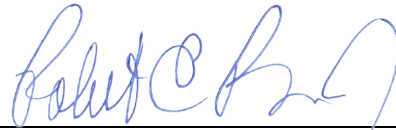
12. When Juvenile Drug Court is in session, bailiffs assigned to Juvenile Drug shall follow the security procedures outlined in Administrative Order No. 8.1180 (A), for courtroom decorum

and management; prisoner handling procedures; facility procedures; arrest procedures; and night security and other duties

13. This order replaces Administrative Order 5a.5550, entitled Juvenile Drug Court, dated October 8, 2001.

This order renumbers and reformats prior Administrative Order No. 5a.550(A) entitled "Juvenile Drug Court."

**ORDERED ON** this 15<sup>th</sup> day of October, 2012 *nunc pro tunc* March 2, 2004.

A handwritten signature in blue ink, appearing to read "Robert E. Roundtree, Jr.", is written above a horizontal line.

Robert E. Roundtree, Jr., Chief Judge