

IN THE CIRCUIT COURT OF 16th JUDICIAL
CIRCUIT OF THE STATE OF FLORIDA, IN
AND FOR MONROE COUNTY

ADMINISTRATIVE ORDER 7.006

IN RE:

**ESTABLISHMENT OF A TREATMENT
BASED JUVENILE DRUG COURT
PROGRAM**

WHEREAS, the Legislature of the State of Florida has determined that substance abuse is a major health problem leading to catastrophic consequences to families in this State and to society in general; and

WHEREAS, it has been the intent of the Legislature to establish and maintain treatment programs for those impaired by substance abuse, including those most vulnerable, children, and in furtherance of that intent, the Legislature provided in Chapter 397, Florida Statutes, for substance abuse services, including the establishment of local drug court; and

WHEREAS, whereas the Sixteenth Judicial Circuit has historically joined with the Legislature in its determination to establish and maintain those treatment programs, including those for children; and

WHEREAS, the Sixteenth Judicial Circuit seeks to assist Monroe County in the operation of its comprehensive anti-drug abuse program whereby children entering the delinquency system received drug treatment and support services; and

WHEREAS, the Sixteenth Judicial Circuit has determined that a Juvenile Drug Court program would help protect the community, improve the quality of life for families affected by a child or children afflicted with the disease of drug abuse, and prevent future delinquent behavior by addressing substance abuse issues;

WHEREAS, to effectuate the intent of the Legislature and the aforesaid policy of the Sixteenth Circuit and Monroe County;

It is therefore, **ORDERED** that:

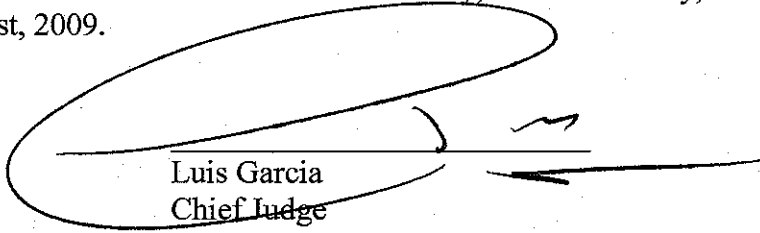
1. Juvenile Drug Court shall handle eligible cases from the circuit delinquency divisions for possible referral into adolescent drug abuse treatment and support.

2. The Court shall target children with delinquency charges, identified by the Juvenile Drug Court Team as having substance abuse issues requiring substantial substance abuse treatment services for the delinquent youth and their family.
3. A Circuit judge shall be assigned to the Juvenile Drug Court in the Upper Keys, Middle Keys and Lower Keys Divisions.
4. Drug Court personnel, or the "Drug Court Team," will review the child's case to determine if the child meets the criteria for admission into the Juvenile Drug Court's substance abuse treatment program. If the child meets the admission criteria, the child's name will be forwarded to the Juvenile Drug Court Program for purposes of determining provisional eligibility and acceptance into the 16th Judicial Circuit Juvenile Drug Court.
5. The Drug Court Team will be comprised on not less than an Assistant State Attorney, Department of Juvenile Justice (DJJ) Probation Officer and a Juvenile Drug Court representative. The team may also include, but is not limited to, any or all of the following: school transitional counselor, school resource officer, the Juvenile Alternative Sanctions Coordinator, DJJ staff, mental health agency staff and Monroe County Sheriff's Office juvenile diversion program staff.
6. Upon receipt of the child's name, a Juvenile Drug Court representative shall contact the child and the child's parents or guardians to schedule an assessment of the child. At the assessment, a member of the Juvenile Drug Court shall explain the purpose and operation of the program to the child and parents or guardian to determine if the family wishes to participate in the program. If the child does not wish to participate in the program, the case will remain on the delinquency docket and the State Attorney's Office is free to proceed with delinquency action against the child, which may include movement toward an involuntary placement in the Juvenile Drug Court program as a special condition of juvenile probation.
7. If the child is deemed appropriate and eligible to participate in the program, the 16th Judicial Circuit Juvenile Drug Court Program shall prepare the placement paperwork. The placement paperwork shall state that the program will last for no less than nine (9) months. This paperwork shall also state the conditions of the child's enrollment in the program in order to receive substance abuse education, intervention and treatment services.
8. Once it has been determined that the child is to be placed in the program, a placement hearing shall be scheduled on the delinquency docket of the assigned judge. The child and parent(s) or guardian(s) shall sign all required placement documents prior to the judge's execution of the Juvenile Drug Court

Placement Order. Upon execution of the order, the child becomes an active Juvenile Drug Court participant.

9. During the period of the child's participation in the program. The Juvenile Drug Court shall monitor the child's treatment progress and compliance with its rules and regulations.
10. In the event that the child or parent(s) or guardian(s) violate the conditions of the program, the alleged violation shall be treated as an alleged violation of the terms and conditions of treatment. Juvenile Drug Court personnel shall notify the drug court judge, the parent(s) or guardian(s) and the Assistant State Attorney of the violation and request that the matter be set for hearing.
11. At the hearing, the child, parent(s) or guardian(s) may be found in contempt of court and the judge may impose a number of sanctions which could include incarceration or expulsion from the program.
12. If the child's participation in the program is terminated for cause, the child's case shall be returned to the delinquency docket from which the case originated prior to referral to Juvenile Drug Court.
13. Upon the successful completion of the 16th Judicial Circuit Juvenile Drug Court Program, in diversion cases, the court shall make findings regarding the child's successful completion of the program and dismiss the charge(s). A child placed on juvenile probation with a special condition of Juvenile Drug Court will be terminated from the Juvenile Drug Court Program.

Florida, this 6th **DONE** and **ORDERED** in chambers in Plantation Key, Monroe County, day of August, 2009.


Luis Garcia
Chief Judge