

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

ADMINISTRATIVE ORDER 7.008

IN RE:

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**JUVENILE DRUG COURT
PROGRAM**

Filed and Recorded in Official Records of
MONROE COUNTY KEVIN MADOK, CPA

WHEREAS, the Legislature of the State of Florida has determined that substance use disorder is a major health problem leading not only to catastrophic consequences to families and children in this State, but to society in general as well; and

WHEREAS, Florida Statutes 397.334 authorizes the implementation of treatment-based drug court programs in each judicial circuit; and

WHEREAS, the 16th 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 16th Judicial Circuit of Florida has historically sought to assist Monroe County in the operation of its comprehensive Drug Use Prevention, Treatment, and Rehabilitation Program whereby children entering the delinquency system receive drug treatment and support services; and

WHEREAS, the 16th Judicial Circuit has determined that its Juvenile Drug Court Program, first established in 1996, continues to help protect the community, improve the quality of life for families affected by a child afflicted with the disease of substance use disorder, and prevent future delinquent behavior by addressing substance use issues; and

WHEREAS, to further effectuate the intent of the Legislature and the aforesaid policy of the 16th 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 substance use treatment and support.
2. The Court shall target children with delinquency charges, identified by the Juvenile Drug Court Team as having substance use issues requiring substantial substance use treatment services for 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 (attached as Exhibit A) into the Juvenile Drug Court’s substance use 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 of 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: a public defender, school transitional counselor, school resource officer, 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 parent(s) or guardian(s) 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 parent(s) or guardian(s) 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 personnel shall prepare the placement paperwork. The placement paperwork shall state that the Program will last for no less than nine (9) months and, to receive substance use education and intervention/treatment services, the conditions of the child’s enrollment in the Program.
8. Once it has been determined that the child is to be placed in the Program, a placement hearing shall be scheduled on the assigned judge’s delinquency docket. 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 child's participation in the Program, the Juvenile Drug Court shall monitor the child's treatment progress and compliance with the Program's rules and regulations.
10. If 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), the Assistant State Attorney and defense counsel of the violation and request that the matter be set for hearing. If found in violation at the hearing:
 - a. The child and the parent(s) or guardian(s) could be found in contempt of court and, as a result, either or both may receive imposed sanctions, including expulsion from the Program, from the presiding judge.
 - b. 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.
11. Upon successful completion of the Juvenile Drug Court Program for 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.

Administrative Orders 7.004 *In re: Juvenile Drug Court Program Eligibility and Assessment*, and 7.006, *In re: Establishment of a Treatment Based Juvenile Drug Court Program*, dated August 31, 2002 and August 6, 2009 respectively, are hereby rescinded and amended in their entirety upon execution of this Order.

16th

DONE and ORDERED in chambers in Key West, Monroe County, Florida, this day of September, 2024.


Honorable Bonnie J. Helms
Chief Judge

ATTACHMENT A

Target Population and Criteria for Assessment and Admission Into Juvenile Drug Court Program

Target Population:

- Pre-adjudicated substance using juveniles who have received a referral filed in the juvenile justice system.
- Substance using juvenile probationers who have received either an adjudication or adjudication withheld.

Criteria for Assessment:

- Juveniles charged with drug offenses or where there exists reasonable suspicion of alcohol or drug use related to juveniles charged with other offenses.
- DJJ probationers who are noncompliant due to positive urinalysis results.
- DJJ probationers initially charged with drug offenses and who have either been rearrested for a new drug offense(s) or where there exists reasonable suspicion of alcohol or substance use related to the new offense(s).
- IDDS (Intensive Delinquency Diversion Services) participants who are noncompliant due to positive urinalysis results.
- IDDS (Intensive Delinquency Diversion Services) participants initially charged with drug offenses and who have either been rearrested for a new drug offense(s) or where there exists reasonable suspicion of alcohol or substance use related to the new offense(s).

Criteria for Admission:

- Must be thirteen (13) to seventeen (17) years of age.
- Must obtain eligibility through the Juvenile Drug Court Assessment procedure.
- If a DJJ probationer, must be either recommended by the Team or ordered into the program by the court.