

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY,
FLORIDA

ADMINISTRATIVE ORDER NO.:
11-15-S
SUPERSEDES 09-21-S AMENDED

**IN RE: JUVENILE COURT AND PROSECUTION ALTERNATIVES FOR YOUTH PROGRAM
PROCEDURE**

WHEREAS, the policy of the juvenile justice and delinquency system is to develop and implement effective programs to provide procedural and substantive due process, prompt, fair and just resolution of delinquency matters, prevent delinquency, to divert children from the traditional juvenile justice system, and to intervene at an early stage of delinquency. F.S. 985.02(1)(b).

WHEREAS, Seminole County, as part of a Delinquency Prevention Program is fortunate to have the Prosecution Alternatives for Youth Program (PAY), a delinquency prevention program that provides arbitration services, a Teen Court program, and other alternative services to divert children from the Court system.

WHEREAS, a diversion program is more effective if a child can enter the program as soon as possible after the child is taken into custody.

WHEREAS, an arraignment hearing is usually up to twenty one (21) days after a child is taken into custody.

WHEREAS, Delinquency Prevention programs would be more effective if children begin a program before their arraignment, and the judicial system would be more effective if the less serious cases were diverted from prosecution.

WHEREAS, as a condition to release from detention, probation, or other Court supervised activity, each juvenile subject to the jurisdiction of the Juvenile Division, Circuit Court, Seminole County, Florida shall be deemed to consent to the release of student records, including but not limited to: attendance, academic History, grades and school discipline records held by the School Board of Seminole County, Florida and the juvenile's current school of enrollment.

WHEREAS, in order to accomplish these goals, the child must sign a waiver of speedy trial and a release of his records to the Juvenile Court, Department of Juvenile Justice and his attorney, and shall meet with PAY officials prior to arraignment.

IT IS THEREFORE, ORDERED AND ADJUDGED;

1. When a juvenile is taken into custody by a law enforcement officer, charged with a delinquent act and given a notice to appear, the Department of Juvenile Justice (DJJ) shall submit, within 24 hours after a child is placed into detention or within 20 days after the date a child is taken into custody, a written recommendation to the State Attorney's Office that includes a copy of the original probable cause affidavit and a copy of the child's prior record as required by F.S. 985.145(1)(j).
2. If DJJ recommends non-judicial handling to the State Attorney, then the juvenile probation officer (JPO) must also include with the recommendation form a waiver of speedy trial form signed by the child and parent or guardian as required by the Department of Juvenile Justice Probation & Community Corrections Handbook, Chapter 4, page 4-15.
3. As a condition to release from detention, probation, or other Court supervised activity, each juvenile subject to the jurisdiction of the Juvenile Division, Circuit Court, Seminole County, Florida shall be deemed to consent to the release of student records, including but not limited to: attendance, academic history, grades and school discipline records held by the School Board of Seminole County, Florida and the juvenile's current school of enrollment.
4. If the State Attorney's Office is able to refer children to PAY prior to arraignment, the State Attorney's Office shall provide to PAY a copy of the referral as soon as it is filed with the Clerk, and PAY shall make every attempt to meet with the child and parent or guardian prior to the scheduled arraignment hearing.
5. The State Attorney's Office shall provide to PAY as soon as practicable after receipt from the Clerk a copy of the arraignment docket printed by the Clerk on the Thursday before arraignment. This copy will indicate the children who have been referred to PAY before arraignment.
6. Upon receipt of the docket from the State Attorney's Office, PAY will indicate on the docket which of the children referred to PAY have already met with PAY and signed up for the program and provide a copy of the docket to the State Attorney's Office and the Clerk of Court by the close of business on the Thursday before arraignment.
7. At the arraignment hearing, the State Attorney's Office will first announce the names of the children who have previously been referred to PAY, who have met with PAY prior to arraignment, and who are, therefore, excused from attending their arraignment and will then announce the names of the children who have not signed up to participate in PAY prior to arraignment. Those children will then be sent to the PAY office from the courtroom.
8. If a child is not present when their name is called, the arraignment hearing will be continued one week. If the child is also not present at the second arraignment hearing, and PAY has not advised the State Attorney's Office that the child has signed up for PAY before the second arraignment hearing, an Order To Take Into Custody shall be issued for the child.

DONE AND ORDERED this 19th day of April, 2011.

J. PRESTON SILVERNAIL
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CHIEF JUDGE

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