

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Hearing on Proposed Rule

May 11, 2017

63G-1.020 Definitions.

The following definitions govern the process by which the funding of detention services is shared by state and county government:

(1) “Annual Percentage Share” is the percentage calculated for each non-fiscally constrained county, and is derived by dividing the number of service days for the county during the most recent 12-month period by the number of service days for all non-fiscally constrained counties during the same period.

(2) “County of Residence” means the county where, at the time of referral, a youth resides, as determined by a department intake officer pursuant to Rule 63G-1.021, F.A.C., and entered in the Juvenile Justice Information System, except for the youth described in subsection 63G-1.021(2), F.A.C., below.

(3) “Detention care” means secure detention and respite beds for youth charged with domestic violence related offenses.

(4) “Fiscally constrained county” means a county which is not required to pay the cost of its resident youths’ detention services, by virtue of its location in a rural area of opportunity designated by the Governor, or because the value of a mill would raise no more than \$5 million in revenue based on its certified school taxable value from the previous July 1.

(5) “Juvenile Justice Information System” (JJIS) means the department’s electronic information system used to gather and store information on youth having contact with the department.

(6) “Juvenile Probation Officer” (JPO) means the primary case manager for the purpose of managing, coordinating, and monitoring the services provided and sanctions required for youth on probation, post-commitment probation or conditional release supervision.

(7) “Most recently completed 12-month period” is the period beginning on May 1 and ending on April 30.

(8) “Non-fiscally constrained county” is a county that does not meet the requirements of subsection (4) of this rule section and does not operate its own juvenile detention facility.

(9) “Service day” means any day or portion of a day spent by a youth in state detention care.

(10) “Total Service Days” means the number of service days that were generated by all youth during the most recently completed 12-month period in state detention care, including the following:

(a) Resident youth of fiscally-constrained counties;

(b) Resident youth of non-fiscally constrained counties;

(c) Youth residing out-of-state; and

(d) Youth from counties that operate their own detention centers.

(11) “Total Shared Detention Costs” means the amount expended by the department for the costs of detention care for the prior fiscal year, including the most recent certify forward amounts, minus funds expended on detention care for youth residing in fiscally constrained counties, youth residing in counties that operate their own detention centers, and youth from out of state. The amount is derived from total detention costs, which are the expenditures from all legislatively approved funds and appropriation categories for detention care for the prior fiscal year, including the most recent actual certify forward amounts, as reduced by the calculation in rule section 63G-1.022(3).

Rulemaking Authority 985.6865(10) FS. Law Implemented 985.6865(3) FS. History–
New_____.

63G-1.021 Determining Residence.

(1) Department of Juvenile Justice (DJJ) JPOs and contracted providers responsible for intake shall utilize the following procedure to determine a referred youth’s county of residence:

(a) The address provided by the youth at intake will initially be checked against the address included in the arrest affidavit and against any existing address for the youth already in the JJIS.

(b) In all cases, an effort will be made to verify the address with the youth’s parent or guardian.

(c) All attempts to contact the parent or guardian, and the results of those attempts will be noted in the chronological record in the youth’s case file.

(2) County of residence for youths in substitute care placements, such as foster care, will be where the dependency case originated for the youth. Street address information recorded in the JJIS will be that of the Department of Children and Families or its contracted agency district office or service center for confidentiality purposes.

(3) Address verification procedures are to be included in the annual refresher training on the JJIS given to department JPOs and contracted providers responsible for intake.

Rulemaking Authority 985.6865(10) FS. Law Implemented 985.6865 FS. History–
New_____.

63G-1.022 Calculating Detention Costs.

(1) By July 15 of each year, the department will provide each non-fiscally constrained county with that county's annual percentage share, and its individual portion of total shared detention costs for the state's fiscal year.

(2) Each non-fiscally constrained county's individual portion of detention funding will be calculated by multiplying its annual percentage share by 50 percent of the total shared detention costs. The annual individual portion is payable in 12 equal payments due on August 1 and due on the first day of each month thereafter until the annual amount is paid in full.

(3) The costs of detention care for youth residing in fiscally constrained counties, for youth residing out of state, and for youth in state detention care from counties that operate their own detention centers, are excluded from the non-fiscally constrained counties' billing. The service days for these excluded youth are divided by the total service days. The resulting percentage is applied to the total detention costs, producing an amount that must be deducted to arrive at the total shared detention costs.

Rulemaking Authority 985.6865(10) FS. Law Implemented 985.6865(4), (5) FS. History—
New_____.

63G-1.023 Receipt of Payment.

(1) Payment is to be made by check or by pre-arranged wire transfer, which is due the first day of the monthly billing period.

(2) Payment will be deemed in arrears on the tenth day of the month the payment is due.

Rulemaking Authority 985.6865(10) FS. Law Implemented 985.6865(6)-(9) FS. History—
New_____.

63G-1.024 Monthly Dispute Resolution.

(1) On the first day of each month, the department shall make available to each county a utilization report.

(2) The county shall have from the first to the fourteenth day of the month to review the on-line utilization information reported for the previous month. If the county takes issue with any of the utilization data, it shall mark the record for dispute on-line and provide a reason for the dispute. Disputes involving a detained youth's county of residence must include one or more of the following indicia of specificity:

(a) Address invalid – not in county;

(b) Address invalid – street number not valid;

(c) Address invalid – not residence of youth;

(3) The department will make every effort to review all disputes for the previous month between the fifteenth and twenty-fourth day of each month, but all pending disputes will be resolved no later than 60 days after the end of the disputed period. The department's response, provided on-line, constitutes notice of final action. When, as the result of a dispute, detention days are transferred from one non-fiscally constrained county to another, the non-fiscally constrained county receiving the days will be informed of this at the same time the disputing county is notified that its dispute has been resolved. Both the resolution of the dispute, and the transfer of the detention days, constitute final agency action by the department.

Rulemaking Authority 985.6865(10) FS. Law Implemented 985.6865(8) FS. History–
New _____.