

INDIAN RIVER COUNTY
INTER-OFFICE MEMORANDUM
OFFICE OF MANAGEMENT AND BUDGET

DATE: June 27, 2018

TO: Board of County Commissioners

THROUGH: Jason E. Brown, County Administrator

FROM: Michael Smykowski, Director, Management and Budget

SUBJECT: Teen Court (Juvenile Diversion) Program Administration Transition

Description:

Pursuant to Florida Statute 939.185 and County Code 305.11, there is an additional \$65 court cost imposed by the court when a person pleads guilty or nolo contendere to, or is found guilty of, or adjudicated delinquent for, any felony, misdemeanor, delinquent act, or criminal traffic offense under the laws of this state. Authorized use of these funds is as follows: 25% is allocated for the law library, 25% is allocated for legal aid programs, 25% for court innovations, facility rent, maintenance, utilities and security of the court house, and 25% is allocated to support teen court (juvenile diversion) programs.

Historically, Court Administration for the Nineteenth Judicial Circuit has administered the teen court funding. On April 9, 2018 Chief Judge Metzger of the Nineteenth Judicial Circuit wrote a letter (Attachment A) indicating that Court Administration would no longer administer these teen court programs; the phase-out of these programs administered by Court Administration will be complete effective July 31, 2018. As such, there will be residual funding remaining for the last two months of Fiscal Year 2017-18 and a new provider must be named to administer these funds in Fiscal Year 2018-19.

The Nineteenth Judicial Circuit remains interested in seeing that juvenile diversion programs continue in the circuit. Although Court Administration cannot endorse any specific entity, the Nineteenth Judicial Circuit Juvenile Justice Advisory Board on civil citations has recommended that the Department of Juvenile Justice (DJJ) serve as the conduit for distribution of these funds (Attachment B, letter from Myra Zilahy, Chief Deputy Court Administrator).

Funding:

There is \$28,779 budgeted for teen court programming in the Additional Court Costs Fund (141) in Fiscal Year 2017-18. As noted previously, Court Administration will complete its phase-out of programming responsibility by July 31, 2018. The current estimate of residual funds available for juvenile diversion programming for the last two months of FY18 is \$7,774.

There is \$27,500 budgeted for teen court programming in the Additional Court Costs Fund (141) in Fiscal Year 2018-19. The Department of Juvenile Justice (DJJ) has requested \$27,500 in FY2018-19 funding for teen court (juvenile diversion) programs. (Attachment D). The Board will make initial funding decisions regarding the FY2018-19 budget at the budget workshop scheduled for July 11, 2018.

Staff Recommendation

Staff recommends that the Board of County Commissioners authorize the Department of Juvenile Justice (DJJ) to assume responsibility for administration of the Teen Court (juvenile diversion) programs, including the actual residual funds in this year's budget after the July 31, 2018 phase-out by Court Administration is complete. Staff further recommends that the County Attorney develops an interlocal agreement between Indian River County and the Department of Juvenile Justice for execution by the Chairman.

Attachments:

Attachment A, Letter from Chief Judge Metzger

Attachment B, Letter from Chief Deputy Court Administrator Myra Zilahy

Attachment C, Letter from Wydee'a E. Wilson, DJJ re FY18 Residual Funds

Attachment D, Letter from Wydee'a E. Wilson, DJJ re FY19 Funding