

STATE OF FLORIDA
DEPARTMENT OF JUVENILE JUSTICE

FILED
2010 MAR 25 A 11:24
DIVISION OF
ADMINISTRATIVE
HEARINGS

HILLSBOROUGH COUNTY,)
)
Petitioner,)
)
v.)
)
DEPARTMENT OF JUVENILE)
JUSTICE,)
)
Respondent.)
_____)

DJJ NO.: 10-0009

DOAH NO.: 09-3546

FINAL ORDER

This matter is now before the undersigned for issuance of final agency action resolving Hillsborough County's claim that it was assessed for secure juvenile detention care for the 2007-2008 fiscal year in a manner inconsistent with section 985.686, Florida Statutes (2009), and Florida Administrative Code Chapter 63G-1. Specifically, Hillsborough County objected to the Department's adjustment of the per diem rate during the 2007-08 fiscal year, which rate had been established at the outset of that year. In addition, Hillsborough County contested the Department's use of the final reconciliation data from fiscal

year 2005-06 as the basis for its estimate of utilization days at the outset of the 2007-08 fiscal year.

On February 26, 2010, Administrative Law Judge Lawrence P. Stevenson entered a Recommended Order rejecting Hillsborough County's claims concerning the per diem adjustment and the use of the 2005-06 reconciliation data.

Neither Hillsborough County nor the Department filed exceptions to the Recommended Order.

Findings of Fact

The Department adopts the "Findings of Fact" set out in paragraphs 1 through 19 of the Recommended Order.

Conclusions of Law

The Department adopts the "Conclusions of Law" set out in paragraphs 20 through 24 of the Recommended Order.

Based upon the foregoing it is hereby **ORDERED**:

1. The ALJ's recommendation is adopted.
2. Hillsborough County's Petition is denied.

Entered this 2nd day of March, 2010, in
Tallahassee, Florida.



FRANK PETERMAN JR., Secretary
Department of Juvenile Justice

Chakita Jenkins

Chakita Jenkins, Agency Clerk

Filed this 23rd day of

March, 2010

COPIES FURNISHED:

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Notice of Right to Judicial Review

In accordance with the provisions of section 120.68, Florida Statutes, a party who is adversely affected by this Final Order is entitled to judicial review. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing a notice of appeal with the Agency Clerk, Office of the General Counsel, 2737 Centerview Drive, Suite 3200, Tallahassee, Florida 32399-3100, and a copy, accompanied by filing fees prescribed by section 35.22, Florida Statutes, with the District Court of Appeal, First District, 301 Martin Luther King, Jr., Boulevard, Tallahassee, Florida 32399-1850, or with the District Court of Appeal in the appellate district where the party resides. The notice of appeal must be filed within 30 days of rendition of the order to be reviewed.