

STATE OF FLORIDA

DEPARTMENT OF JUVENILE JUSTICE

**BAY COUNTY, HERNANDO COUNTY,
LEE COUNTY, MIAMI-DADE COUNTY,
OKALOOSA COUNTY, SEMINOLE
COUNTY, NASSAU COUNTY,
PINELLAS COUNTY, and ORANGE
COUNTY,**

DJJ Case No.: 15-0001

Petitioners,

and

**BROWARD COUNTY, ST. LUCIE
COUNTY, HILLSBOROUGH COUNTY,
VOLUSIA COUNTY, WALTON COUNTY,
POLK COUNTY, MARION COUNTY,
LAKE COUNTY, CHARLOTTE COUNTY,
MANATEE COUNTY, ALACHUA COUNTY,
and INDIAN RIVER COUNTY,**

**DOAH Case Nos.: 11-0995
11-0999
11-1001
11-1002
11-1003
11-1004
11-1265
11-1266
11-1268**

Intervenors,

vs.

**DEPARTMENT OF JUVENILE
JUSTICE,**

Respondent.

FINAL ORDER RESOLVING DISPUTES FOR FISCAL YEAR 2009-2010

On May 30, 2014, the Department entered an "Order on Proposed Final Orders" lifting the abeyance of the DOAH proceedings, allowing the parties to submit Proposed Final Orders, and acknowledging the Department's intention to enter a

Appendix A

Final Order disposing of the parties' challenges to the 2009-2010 Annual Reconciliation of detention costs. Thereafter, the parties submitted proposed final orders that were based upon a December 2013 "Joint Stipulation of Facts and Procedure," which set out overpayment amounts for each party for Fiscal Year 2009-2010, as follows:

COUNTY	AMOUNT OVERPAID
Alachua	\$673,844.33
Bay	588,768.04
Broward	2,690,718.20
Charlotte	389,803.38
Hernando	282,288.58
Hillsborough	3,350,427.46
Indian River	268,656.37
Lake	423,686.18
Lee	2,502,065.59
Manatee	1,237,690.08
Marion	502,656.56
Miami-Dade	3,352,335.99
Nassau	(-13,692.94)
Okaloosa	475,592.96
Orange	4,032,405.38
Pinellas	3,184,786.17
Polk	1,759,258.57
Seminole	1,362,557.19
St. Lucie	1,436,521.82
Volusia	2,623,067.86
Walton	113,986.75

The Department is unable to enter a Final Order adopting the stipulated amounts as the parties' overpayments. The amounts are contrary to section 985.686(3) and (5), Florida Statutes, in that they obligate the State to pay for detention stays that are "prior to final court disposition." Specifically, the calculations include youth on probation who are subsequently detained on new criminal charges, and whose detention stays are prior to disposition of the new charges. These stays are predispositional, and the Department cannot obligate the State to

assume fiscal responsibility for charges associated with these detention stays.

The overpayment amounts in the last column of the following table are produced when this error is corrected:

COUNTY	AMOUNT OVERPAID (STIPULATED)	AMOUNT OVERPAID (CORRECTED) ¹
Alachua	\$673,844.33	\$1,530,987.43
Bay	588,768.04	278,032.18
Broward	2,690,718.20	1,641,303.23
Charlotte	389,803.38	316,555.47
Hernando	282,288.58	114,139.52
Hillsborough	3,350,427.46	2,984,371.20
Indian River	268,656.37	211,962.52
Lake	423,686.18	437,978.96
Lee	2,502,065.59	1,044,827.19
Manatee	1,237,690.08	637,217.33
Marion	502,656.56	949,551.35
Miami-Dade	3,352,335.99	1,837,035.86
Nassau	(-13,692.94)	(-54,306.65)
Okaloosa	475,592.96	(-410,192.45)
Orange	4,032,405.38	3,744,354.79
Pinellas	3,184,786.17	1,962,616.63
Polk	1,759,258.57	943,028.21
Seminole	1,362,557.19	378,712.61
St. Lucie	1,436,521.82	1,033,883.22
Volusia	2,623,067.86	1,277,427.89
Walton	113,986.75	(-107,359.83)

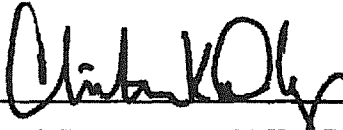
Based upon the foregoing it is hereby **ORDERED**:

1. The "Corrected" amounts set forth in the last column of preceding table represent the Department's final action on the parties' challenges to the Fiscal Year 2009-2010 detention cost sharing.

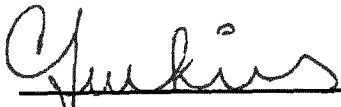
2. The parties are deemed to have overpaid their actual costs for Fiscal Year 2009-2010 in the amounts set forth as "Corrected" in the preceding table.²

¹ The "Corrected" overpayments do not take into account credits that may already have been taken by specific counties, which will

Entered this 9 day of January, 2015, in
Tallahassee, Florida.



CHRISTINA K. DALY, Secretary
Department of Juvenile Justice



Chakita Jenkins, Agency Clerk
Filed this 12th day of
January, 2015

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reduce the overpayment totals and subsequent credits when and if
the Legislature funds such credits.

² No moneys were appropriated for Fiscal Year 2014/2015 to credit
counties. Only the Legislature has the power to provide funding
for credits or refunds for past fiscal years.

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