

STATE OF FLORIDA
DEPARTMENT OF JUVENILE JUSTICE

OKALOOSA COUNTY,

Petitioner,

and

DJJ Case No.: 15-0002

**BAY COUNTY, ORANGE COUNTY
ST. LUCIE COUNTY, NASSAU
COUNTY, PINELLAS COUNTY,
LAKE COUNTY, HILLSBOROUGH
COUNTY, HERNANDO COUNTY,
VOLUSIA COUNTY, MARION
COUNTY, POLK COUNTY,
WALTON COUNTY, MIAMI-DADE
COUNTY, BROWARD COUNTY,
CHARLOTTE COUNTY, MANATEE
COUNTY, ALACHUA COUNTY,
LEE COUNTY, INDIAN RIVER
COUNTY, and SEMINOLE COUNTY**

DOAH Case NO.: 11-5894

Intervenors,

vs.

**DEPARTMENT OF JUVENILE
JUSTICE,**

Respondent.

FINAL ORDER RESOLVING DISPUTES FOR FISCAL YEAR 2010-2011

On May 30, 2014, the Department entered an "Order on Proposed Final Orders" lifting the abeyance of the DOAH

Appendix B

proceedings, allowing the parties to submit Proposed Final Orders, and acknowledging the Department's intention to enter a Final Order disposing of the parties' challenges to the 2010-2011 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 2010-2011, as follows:

COUNTY	AMOUNT OVERPAID
Alachua	\$633,639.79
Bay	696,623.36
Broward	2,823,882.23
Charlotte	391,274.34
Hernando	376,278.88
Hillsborough	3,499,384.82
Indian River	272,999.28
Lake	335,125.65
Lee	1,900,873.36
Manatee	1,107,963.09
Marion	164,175.28
Miami-Dade	4,978,164.55
Nassau	68,232.38
Okaloosa	833,758.89
Orange	3,964,662.21
Pinellas	2,153,163.51
Polk	2,476,765.89
Seminole	1,748,435.61
St. Lucie	900,090.51
Volusia	3,142,769.14
Walton	112,197.29

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	\$633,639.79	\$840,226.32
Bay	696,623.36	474,767.72
Broward	2,823,882.23	2,832,590.76
Charlotte	391,274.34	68,335.32
Hernando	376,278.88	(-122,059.60)
Hillsborough	3,499,384.82	2,349,474.04
Indian River	272,999.28	124,964.52
Lake	335,125.65	228,605.96
Lee	1,900,873.36	638,166.48
Manatee	1,107,963.09	817,913.40
Marion	164,175.28	86,182.04
Miami-Dade	4,978,164.55	3,765,501.68
Nassau	68,232.38	43,450.16
Okaloosa	833,758.89	(-40,011.64)
Orange	3,964,662.21	3,405,660.72
Pinellas	2,153,163.51	1,968,961.48
Polk	2,476,765.89	377,130.36
Seminole	1,748,435.61	906,136.36
St. Lucie	900,090.51	1,016,838.16
Volusia	3,142,769.14	1,080,560.52
Walton	112,197.29	(-23,809.40)


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 2010-2011 detention cost sharing.

¹ The "Corrected" overpayments do not take into account credits that may already have been taken by specific counties, which will reduce the overpayment totals and subsequent credits when and if the Legislature funds such credits.

2. The parties are deemed to have overpaid their actual costs for Fiscal Year 2010-2011 in the amounts set forth as "Corrected" in the preceding table.²

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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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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