



**STATE OF FLORIDA
DEPARTMENT OF JUVENILE JUSTICE**

**JUVENILE JUSTICE INFORMATION SYSTEM
BUSINESS RULE**

SUBJECT: TRANSFER TO ADULT COURT

PROCEDURE NUMBER: 99-009

EFFECTIVE DATE: NOVEMBER 2, 1999

REVISED DATE: January 5, 2005, June 2015, July 2016, May 2019,
December 2019

PROGRAM AREA(S): INTAKE AND PROBATION

POLICY/PROCEDURE:

This rule establishes uniform procedures when a case is transferred to the adult system. The jail placement is used for youth who have been Direct Filed and for youth under DJJ supervision (probation, PCP, CR). The referral will remain open until the adult court takes final action or Department confirms loss of jurisdiction of youth.

Intake- Pending Adult Processing

1. Dispose case with the most appropriate Adult Court primary disposition
2. Update docket number to Adult Case Number
3. Enter Youth Note for associated juvenile case number
4. Enter jail placement, if applicable
5. Notify jail of any juvenile holds
6. Update School to County Jail

Adult Court files charges not on presenting juvenile affidavit

1. If the petition includes different charges than what LEO has submitted on presenting affidavit, on the existing referral- add new charge(s) using same offense data as original charge
 - a. Dispose the Original Charge(s)
 - i. Type- Non- File
 - ii. Date- date of petition
 - iii. Adjudication- No
 - iv. County
 - b. Close Charge(s)
 - c. Document in case notebook summarizing the changes made in JJIS and why for clarity

Incompetent to Proceed

If youth has been direct filed and then is found incompetent to proceed in adult court, case (referral) remains open until final resolution.

Final Adult Court Sentencing

1. If the charges on the disposition order are not the same as the ones on the presenting affidavit, on the existing referral- add new charge(s) using same offense data as original charge
 1. Dispose the Original Charge
 - i. Type- Charge Reduction OR Charge Upgrade
 - ii. Date- date of order
 - iii. Adjudication- No
 - iv. County
 2. Close Original Charge(s)
- A. Juvenile Sanctions are given
 1. Enter the appropriate secondary disposition
 2. Update placement accordingly
- B. Adult Sanctions are given
 1. Enter the Special Alert - Adult Sanctions
 2. Enter the appropriate secondary disposition
 3. Close the referral
 4. There are **no** open cases in the juvenile system
 - Update placement to End DJJ Custody
 5. There **are** open cases in the juvenile system
 - Update placement as appropriate (probation, commitment, PCP or CR)
 - Case will remain open until a termination order is received from juvenile court

Youth is over 18; picks up new charges [that are not referred to DJJ] while under the supervision and/or custody of DJJ

1. Create a new referral via Intake Processing for Adult Charges (99999.19)
2. Enter disposition – Adult Jail
3. Update placement via Youth Placement Probation – placing Youth in Jail on this referral
4. Update School to County Jail

Courtesy Commitment Placement

As a courtesy to the Department of Corrections, the Secretary of the Department of Juvenile Justice may approve juvenile residential placement for a youth who receives an adult sentence. To place Youth in DJJ residential program, there needs to be a commitment disposition and Conference Summary Probation/Commitment.

JPO -

- a. Will dispose original referral/charge to appropriate Adult Court-primary disposition and appropriate Adult Court secondary disposition
- b. Will submit DIO Help Request to create New Referral for Court Order Case Transfer

DIO -

- a. Will create New Referral via Intake Processing – Second Circuit for Court Order Case Transfer
- b. Referral will be assigned to Second Circuit, Unit X X Central Placement – DOC Transfer
 - a. Arresting Agency = Second Circuit - Department of Corrections (use the first entry for Department of Corrections, the one with Blair Stone Rd address)
 - b. Charge Association = select the most serious offense with the DOC sentence. Then in court docket # field, enter the docket # associated with that offense and at end of # add the text “DOC plcmt”. (Offense date is the date of approved transfer by DJJ)
 - c. Dispose Referral- Commitment disposition for appropriate level that matches the anticipated placement
 - d. Dispo date = date placement was approved by DJJ
 - e. County - the originating DOC sentence
- c. Conference Summary Probation/Commitment
 - a. If there is a CSP, edit referral # to the new referral ID
 - b. If none, create one as “direct commitment”
 - c. If creating and there is no Full Community Assessment Tool (CAT) created within the past 180 days, add a Cannot Complete CAT to enable new Conference Summary
- d. Cost of Care
 - a. Enter waiver using reason “other” and text “DOC placement” effective date of waiver = date transfer to DJJ program was approved

Central Placement

- a. Will place Youth on Waiting List
- b. Will Admit Youth to Program
- c. Will Release Youth from Program