

**CHAPTER 63D-9
ASSESSMENT**

Coded Rule Text

63D-9.001	Purpose and Scope
63D-9.002	Detention Screening
63D-9.003	Intake Services
63D-9.004	Risk and Needs Assessment
63D-9.005	Comprehensive Assessment
63D-9.006	Comprehensive Evaluation

63D-9.001 Purpose and Scope.

This rule establishes uniform procedures for conducting and documenting detention screening, intake, risk and needs assessments, comprehensive assessments, and comprehensive evaluations of youth to allow the department to provide the most appropriate services in the least intrusive manner.

(1) While the needs, strengths and history of the individual youth will determine the how, what, when and where of assessment, the process typically tracks the following sequence:

(a) Detention Screening is completed following the arrest and delivery of the youth to the department. The critical component of detention screening is the Detention Risk Assessment Instrument (DRAI). The DRAI is used to determine if a youth meets detention criteria and to determine whether a youth should be placed in secure, non-secure, or home detention care prior to a detention hearing. The DRAI (DJJ 2049, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. When a youth is delivered to the department for detention screening, the screener shall also look into the risk of suicidal behaviors. This screening is initiated through a process which includes administration of the Positive Achievement Change Tool (PACT) the primary assessment instrument used by the JPO to determine the youth's risk to re-offend and identify criminogenic needs that require intervention, and administration of the Suicide Risk Screening Instrument (SRSI), a form that documents the standardized questions asked by trained, designated staff upon a youth's intake into the juvenile justice system, and upon admission to a detention center, to identify suicide risk factors and the need for referral for assessment of suicide risk as well as a review of any other documentation of suicide risk factors that are available at the time of screening. The PACT (PACT 1.1, September 10, 2007) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100. The SRSI (MHSA 002, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community

Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, Florida 32399-3100.

(b) After determining whether or not the youth being delivered to the department meets detention criteria, a more comprehensive intake process is initiated. The intake process is an analysis of the facts that resulted in the youth being delivered to the department. A summary of those facts is provided within the State Attorney Recommendation (SAR) and the Pre-Disposition Report (PDR). The former is the tool used to inform the state attorney what the department's suggestion is as to how to proceed with the case. The latter is a resource used by the court to determine a disposition for the youth once he or she is adjudicated delinquent.

(c) All youth charged with a criminal or delinquent offense are evaluated using the Positive Achievement Change Tool (PACT). This is a resource that follows the youth from first contact through all phases of his or her history with the department. It is a validated instrument used to assess risk to re-offend, and it is the primary tool for case management, service planning, treatment progress and readiness for termination of services.

(d) A comprehensive evaluation is the gathering of information addressing physical health, mental health, substance abuse, academic, educational, or vocational problems of a youth for whom a residential commitment disposition is anticipated, which is summarized in the youth's predisposition report.

(2) While other specialized instruments may be used to meet the unique treatment needs of a youth, the evaluative processes described above comprise the core functions for supporting informed decision-making about the youth within the department's probation program.

Rulemaking Authority 985.64 FS. Law Implemented 985.03, 985.135, 985.14, 985.145, 985.24, 985.245, 985.433, 985.435, 985.46, 985.601 FS. History—New 9-20-10, Repealed.

63D-9.001 Purpose and Scope.

Rulemaking Authority 985.64 FS. Law Implemented 985.03, 985.135, 985.14, 985.145, 985.24, 985.245, 985.433, 985.435, 985.46, 985.601 FS. History—New 9-20-10, Repealed.

63D-9.002 Detention Screening.

(1) The Detention Risk Assessment Instrument (DRAI) directs the decision-making process as to whether detention care is warranted and whether the youth should be placed into secure detention, home detention, or some other form of non-secure detention status. The DRAI shall consist of the following six (6) sections:

(a) Section I: Identifying Data;

- (b) Section II: Admission Criteria;
- (c) Section III: Risk Assessment;
- (d) Section IV: State Attorney Review/Decision;
- (e) Section V: Screening Decision; and,
- (f) Section VI: Narrative.

(2) A completed DRAI is required for all youth when presented to the department for detention screening.

(a) If the youth is not eligible for detention as determined by completing Section II of the DRAI, the Juvenile Probation Officer (JPO) is only required to complete Sections I, II, V, and VI.

(b) If the youth is eligible for detention, as determined by completing Section II of the DRAI, or if the youth is presented for detention screening on a technical violation of supervision, or a court order that requires secure detention, the JPO shall also complete Sections III and IV.

(3) In making the decision to detain or release a youth, the JPO shall take several key factors into consideration:

(a) The placement decision shall be based upon an independent assessment of risk as determined by the DRAI. To ensure equality of treatment, the Juvenile Probation Officer Supervisor (JPOS) shall make certain that the JPO does not discriminate based upon race, culture, gender, religion, ethnic origin, disability, sexual orientation, or socioeconomic status.

(b) The JPO shall attempt to contact the parent(s)/guardian(s), arresting law enforcement officer, victim, and others who have knowledge of the youth to obtain their assessment of the youth and the pending charge(s).

(c) The JPO shall check the Juvenile Justice Information System (JJIS), Department of Children and Families (DCF) client information system and Florida Criminal Investigation Center/National Criminal Investigation Center (FCIC/NCIC) system to obtain a prior history on the youth, if available. If one or more systems is not available at the time of screening then the JPO shall document all subsequent efforts to obtain background information from these systems.

(4) Section III-B of the DRAI is intended to score current, separate, non-related offenses with which the youth is charged, and which are not accounted for in Section III-A, referencing the most serious current offense.

(5) Section III-E of the DRAI, which scores aggravating or mitigating factors, allows the JPO to take into account relevant issues that are not scored in other parts of the DRAI, ensuring the appropriateness of detention and release decisions.

(a) The JPO shall consider any aggravating or mitigating circumstances that may exist. Aggravating factors shall include: youth having a history of absconding, unusual number of prior offenses, offender's attitude presenting a clear and present danger to the victim, victim suffers substantial physical or emotional injury, extreme cruelty was involved in the offense, offense was committed by a youth engaged in organized gang activity. Mitigating circumstances shall include: youth's age and maturity, a significant change in the youth's living circumstances subsequent to the offense providing increased stability and supervision, youth was accompanied by an adult who influenced youth's involvement in the offense, victim suffered little or no injury or property loss, youth suffers from an intellectual impairment which affects decision-making.

(b) Because the DRAI is intended to be an independent and impartial measure of the risk posed by each youth, the decision to either aggravate or mitigate shall not be determined by pressures from outside influences that may lack objectivity.

(c) The JPO shall fully explain what factors were considered in the narrative portion of Section VI.

(6) When the JPO believes that a youth who is otherwise eligible for detention should be released, he or she shall contact the state attorney to approve the release, as described in Section IV of the DRAI. The JPO shall document the reasons for the recommendation in narrative portion of Section VI. The state attorney may also approve home or non-secure detention for youth who are eligible for secure detention.

*Rulemaking Authority 985.245, 985.64 FS. Law Implemented 985.145, 985.24, 985.245, 985.25, 985.255 FS.
History—New 9-20-10, Repealed.*

63D-9.002 Detention Screening.

*Rulemaking Authority 985.245, 985.64 FS. Law Implemented 985.145, 985.24, 985.245, 985.25, 985.255 FS.
History—New 9-20-10, Repealed.*

63D-9.003 Intake Services.

(1) The purpose of the intake process is for the JPO to assess the youth's risk and needs to determine the most appropriate recommendations for services by considering the interests of the youth, parent(s)/guardian(s), victim, and community.

(2) The JPO shall review the written complaint (also called a report or affidavit) as the first step in case processing.

(a) A complaint is a written report alleging facts sufficient to establish the delinquency of a youth and the jurisdiction of the court.

(b) After the complaint is reviewed, the JPO shall attempt to gather information from the complainant and, if applicable, from the victim.

(c) The JPO shall conduct these contacts as soon as possible but no later than one week upon receipt of the complaint. During these contacts, the JPO shall obtain information that may not be contained in the complaint and request the complainant's and victim's opinion regarding case handling and disposition.

(3) The JPO shall use JIS to enter and/or update information related to the new complaint(s), victim information, and youth demographics.

(4) An initial conference with the youth and parent(s)/guardian(s) shall be held for all cases unless the youth and parent(s)/guardian(s) refuse or are unable to participate. The initial conference is voluntary until the youth enters a plea (guilty or no contest) or the youth is found guilty.

(a) The conference may be completed at a juvenile assessment center (JAC), at a detention center, or in the office of the JPO.

(b) During the conference, the JPO interviews the youth and parent(s)/guardian(s) to gather information, explain the youth's status in the juvenile justice system, and conduct a risk and needs assessment.

(c) The JPO shall obtain written consent for substance abuse treatment from the youth and parent at the intake conference for all youth with substance abuse needs.

(5) As with complainant and victim information, the information gathered during the initial conference is part of the youth's assessment of risk and needs and is used in developing the State Attorney Recommendation (SAR) and Pre-Disposition Report (PDR), if ordered.

(a) The SAR is a report detailing the department's recommendation and justification as to how the state attorney should proceed with case. The three primary options in making the recommendation to the state attorney are non-judicial handling, judicial handling, or handling as an adult.

(b) The SAR shall address the following: attitude of youth, cooperation of parent(s)/guardian(s), ability of parent(s)/guardian(s) to control youth, attitudes of complainant and victim, information related to youth's involvement or association with a criminal street gang, and any available information on mental and substance abuse needs. The SAR (DJJ/PACT Form 3, July 2010) is incorporated, and is available from the Assistant Secretary for

Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

(c) The JPO shall submit the SAR within statutorily mandated timeframes.

(6) The PDR is a multidisciplinary assessment that reports the youth's priority needs, recommendations as to a classification of risk for the youth in the context of his or her program and supervision needs, and a plan for treatment that recommends the most appropriate placement setting to meet the youth's needs with the minimum program security that reasonably ensures public safety. The PDR (DJJ/IS Form 5, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

(a) The PDR shall include an intervention plan that recommends the most appropriate placement to meet the youth's needs at the minimum restrictiveness level that reasonably ensures public safety and the youth's accountability.

(b) While the JPO has the final responsibility for making recommendations, the youth and parent(s)/guardian(s) shall be given an opportunity to be involved in the development of sanctions and intervention plans.

(c) If the PDR includes a recommendation for residential commitment, the recommendation must be the result of a pre-staffing between the JPO and JPOS, and a commitment conference with the Commitment Manager.

(d) The JPO shall submit the PDR within statutorily mandated timeframes.

(e) The JPO shall complete a Post-Disposition Report, which, like the predisposition report, indicates what the child's risks and priority needs are, but is only completed if residential commitment has been ordered by the court without a predisposition report ever having been ordered. In order to ensure appropriate placement and services, the Post-Disposition Report shall be completed within 14 working days following the disposition. The Post-Disposition Report (DJJ/IS Form 5, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.

(7) The department is required to complete an Adult Sentencing Summary for youth being tried as an adult. This is a written summary regarding a youth's history with the Department of Juvenile Justice, which is used when the court is deciding whether a youth should be sentenced to the adult or juvenile justice system. This document provides detailed information relevant to the youth's current status and history with the department, programs and services provided or arranged by the department, family situation, any known special mental health or substance abuse needs, and a recommendation as to whether the youth should be sentenced to the adult or juvenile justice.

~~system. The Adult Sentencing Summary (DJJ/IS Form 29, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, FL 32399-3100.~~

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145, 985.43, 985.565, 985.43, 985.435, 985.46 FS. History—New 9-20-10, Repealed.

63D-9.003 Intake Services.

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145, 985.43, 985.565, 985.43, 985.435, 985.46 FS. History—New 9-20-10, Repealed.

63D-9.004 Risk and Needs Assessment.

~~(1) The JPO shall conduct a risk and needs assessment on all youth charged with a criminal or delinquent offense using the Positive Achievement Change Tool (PACT). The PACT is completed while screening a youth for detention eligibility or during the initial intake conference.~~

~~(2) The JPO administering the PACT shall use results to determine whether a referral for further assessment or immediate intervention shall be made. The JPO shall refer youth directly to the designated assessment provider(s) for the comprehensive assessment using the PACT Mental Health and Substance Abuse Screening Report and Referral Form. The PACT Mental Health and Substance Abuse Screening Report and Referral Form (DJJ/PACTFRM 1, July 2010) is incorporated, and is available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Dr., Suite 1300, Tallahassee, FL 32399-3100.~~

~~(a) If the youth is to be released to the parent(s)/guardian(s), the parent(s)/guardian(s) shall be informed of the results of the PACT and shall be given information as to the location of the comprehensive assessment provider, the appointment time (if arranged by the JPO), and the importance of delivering the youth for the follow-up appointment. The parent(s)/guardian(s) shall be provided a copy of the completed PACT Mental Health and Substance Abuse Screening Report and Referral Form.~~

~~(b) For detained youth, the PACT results shall be forwarded to the detention center where the youth is detained. The JPO shall provide written notification to the detention center using the PACT Mental Health and Substance Abuse Screening Report and Referral Form of any need for crisis intervention for youth who are indicated as at-risk for suicide, and shall notify the detention center of any need for referral to the center's mental health professional for~~

youth who are in need of further mental health or substance abuse evaluation.

(3) When the PACT results or other information obtained at intake/admission indicates possible suicide risk, the youth shall be referred for an assessment of suicide risk to be conducted within 24 hours or immediately if the youth is in crisis. Assessment of Suicide Risk Form (MHSA 004, July 2010) must be utilized when the assessment of suicide risk is conducted in a DJJ facility or program. If the youth is released to the custody of the parent or legal guardian, the parent/legal guardian must be provided the form entitled Suicide Risk Screening Parent/Guardian Notification (MHSA 003, July 2010). These forms are incorporated, and are available from the Assistant Secretary for Probation and Community Intervention at 2737 Centerview Drive, Suite 1300, Tallahassee, Florida 32399-3100.

(4) The PACT is predominantly a self-report tool, and youth sometimes supply inaccurate information about themselves or their situation. The JPO completing the PACT shall use his or her own observations and those of collateral sources such as parents, other department staff, law enforcement, or other informed persons who have knowledge of the youth's behavior and background. If personal observations or collateral contacts reveal the need for further assessment regardless of the results of the PACT, a referral for further assessment shall be recommended. The reason for the override shall be documented on the PACT Mental Health and Substance Abuse Screening Report and Referral Form.

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145 FS. History—New 9-20-10, Repealed _____.

63D-9.004 Risk and Needs Assessment.

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145 FS. History—New 9-20-10, Repealed _____.

63D-9.005 Comprehensive Assessment.

(1) A comprehensive assessment is a report on the youth's physical, psychological, educational, vocational, social condition and family environment as they relate to the youth's need for rehabilitative and treatment services, including substance abuse treatment services, literacy services, medical services, family services, and other specialized services, as appropriate. The comprehensive assessment is designed to guide the department to the right level of intervention based on the unique needs of the individual youth.

(2) The comprehensive assessment shall be administered in a timely fashion.

(a) The designated provider shall complete the comprehensive assessment within 10 calendar days for youth in secure detention. The provider shall complete the comprehensive assessment within 14 calendar days for youth not in secure detention. The timeframe for completion may be modified by order of the court.

(b) If a provider takes longer than 14 calendar days to complete a comprehensive assessment, the JPO shall notify the Chief Probation Officer (CPO) or designee, who shall notify the local Department of Children and Families (DCF) program administrator. The CPO shall request the program administrator to develop a plan to improve performance or change providers.

(3) After the comprehensive assessment or equivalent department-approved instrument is completed, the provider shall provide a written report of the results and outline recommendations for the disposition of the case.

(a) Recommendations can include treatment in a substance abuse or mental health setting, further in-depth evaluation to determine appropriate treatment response, or termination of substance abuse/mental health involvement.

(b) If the provider determines that a more in-depth evaluation is necessary, a referral for further in-depth evaluations shall be made prior to making any specific treatment recommendations.

(4) The provider shall forward the original comprehensive assessment to the JPO. When completing the PDR, the JPO shall incorporate the recommendations of the comprehensive assessment and attach the comprehensive assessment summary to the PDR. The JPO shall not attempt to summarize or interpret the comprehensive assessment summary or any subsequent evaluation in the PDR.

(5) If a PDR is required and the results of the comprehensive assessment have not been received from the provider within seven working days of the date the PDR is due, the JPO shall contact the provider and inquire as to why the results have not been received. If the youth and family have not participated in the assessment, the JPO shall contact the family by telephone or in writing and inform them of their obligation to participate in the assessment.

(6) If the comprehensive assessment is not received in time to be included in the PDR, the JPO shall document all efforts made to obtain the assessment in the PDR and case notes. The JPO shall notify the CPO or designee, who shall report in writing the noncompliance of the provider to the local DCF program administrator.

(7) When the comprehensive assessment is received, the JPO shall forward the assessment to the detention center for youth held in secure detention.

~~(8) All individuals involved in the comprehensive assessment process shall comply with the confidentiality requirements of Section 985.04, F.S.~~

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145 FS. History—New 9-20-10, Repealed _____.

63D-9.005 Comprehensive Assessment.

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145 FS. History—New 9-20-10, Repealed _____.

63D-9.006 Comprehensive Evaluation.

~~(1) The comprehensive evaluation builds on the information gathered in previous assessments, screenings, and interviews with the youth and parent(s)/guardian(s) to provide a summary of the youth's life that focuses on the following areas: vocational, academic, medical, mental health and substance abuse. The comprehensive evaluation is designed to guide the department to the right level of intervention, usually delivered in a residential setting, based on the unique needs of the individual youth.~~

~~(2) The JPO shall forward the signed authorization and referral packet to the provider that is responsible for completing the comprehensive evaluation. The referral packet shall include the following items:~~

- ~~(a) School information such as grades, behavior records, attendance, and IQ scores;~~
- ~~(b) Arrest affidavit, violation of supervision, or transfer request;~~
- ~~(c) Victim statement(s) (if available);~~
- ~~(d) PACT Mental Health and Substance Abuse Screening Report and Referral Form;~~
- ~~(e) PACT results;~~
- ~~(f) Any prior assessments available;~~
- ~~(g) Any prior medical information available;~~
- ~~(h) Available job history and vocational training history;~~
- ~~(i) Latest PDR (if available); and,~~

~~(j) A signed Authority for Evaluation and Treatment (AET), which is the document that, when signed by a parent or guardian, gives the department the authority to assume responsibility for the provision of necessary and appropriate physical and mental health care to a youth in the department's physical custody. The AET (HS 002, July~~

2010) is incorporated into this rule and is accessible electronically at http://www.djj.state.fl.us/forms/health_services_forms_index.html.

(3) The JPO shall review the youth's case with the JPO supervisor to determine whether or not to pursue a commitment recommendation for the youth. If the result of this review is a recommendation for commitment, then the JPO shall work with a DJJ commitment manager in order to conduct a multidisciplinary assessment as defined in subsection 63D-8.001(14), F.A.C. This information gathering exercise shall assist the department in determining the youth's priority risks and needs, and a plan for treatment that recommends the most appropriate placement setting to meet the child's needs with the minimum program security needed that reasonably ensures public safety.

(4) If a residential commitment is being considered or has been ordered by the court, a comprehensive evaluation shall be scheduled with the provider on contract with the circuit to complete the evaluations. The evaluation shall be provided to the commitment manager prior to the commitment conference. If the evaluation is not completed by the date of the commitment conference, the JPO shall make every effort to obtain a draft for the conference.

(5) A comprehensive evaluation is also required when youth on conditional release are pending transfer back to residential commitment. If the comprehensive evaluation completed prior to commitment is over 12 months old, a new evaluation shall be completed to facilitate the transfer process.

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145, 985.18, 985.185 FS.

History—New 9-20-10, Repealed.

63D-9.006 Comprehensive Evaluation.

Rulemaking Authority 985.14, 985.145, 985.64 FS. Law Implemented 985.14, 985.145, 985.18, 985.185 FS.

History—New 9-20-10, Repealed.