

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR HIGHLANDS AND POLK COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 6-22.0

**IN RE: ADMINISTRATIVE ORDER DETERMINING THAT THE TEEN COURT  
PROGRAMS AND PROCEDURES IN POLK AND HIGHLANDS COUNTIES COMPLY  
WITH THE REQUIREMENTS OF §985.12, FLORIDA STATUTES**

**WHEREAS**, Teen Court diversion programs have been established in Polk County and Highlands County with the concurrence of the Court, State Attorney and all law enforcement agencies as an effective pre-arrest and pre-trial intervention juvenile justice program; and,

**WHEREAS**, Polk County has had an effective Teen Court diversion program operated under the direction and leadership of a circuit court judge since 1990; and

**WHEREAS**, the Polk County Board of County Commissioners has recognized the Polk County Teen Court program as a nonprofit diversion program and has mandated the assessment of court costs in specified cases pursuant to §938.19, Florida Statutes, for deposit “into an account specifically for the operation and administration of the teen court.”

**WHEREAS**, Highlands County has had an effective Teen Court diversion program operated by the Highlands County Clerk of the Court since 1996; and

**WHEREAS**, the Highlands County Board of County Commissioners has recognized the Highlands County Teen Court diversion program and has mandated the assessment of court costs in specified cases pursuant to §938.19, Florida Statutes, for deposit “into an account specifically for the operation and administration of the teen court.”

**WHEREAS**, the Florida legislature amended §985.12, Florida Statutes, to require "civil citation or similar diversion programs" to be established in each judicial circuit as a means of diverting first-time misdemeanor offenders out of the juvenile justice system; and

**WHEREAS**, the Teen Court diversion programs operating in Polk and Highlands Counties provide an alternative to custodial arrest for first-time youthful offenders who commit misdemeanor crimes, admit guilt and consent to participate in the program; and

**WHEREAS**, the Teen Court diversion programs operating in Polk and Highlands Counties provide for the imposition of community service work hours as provided in § 985.12, Florida Statutes, along with other appropriate sanctions based on the nature of the offense; and

**WHEREAS**, minors referred to the Teen Court diversion programs operating in Polk and Highlands Counties are evaluated to determine if family counseling, urinalysis, substance abuse or mental health treatment is required and referrals to the appropriate provider are made.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. The above "whereas" clauses are accepted as findings of fact.
2. The Teen Court diversion programs operating in Polk and Highlands Counties constitute "other similar diversion programs" within the meaning of §985.12, Florida Statutes, and the procedures currently in place between the Court, State Attorney, Law Enforcement agencies and the Teen Court programs comply with the requirements of §985.12, Florida Statutes.

DONE AND ORDERED in Polk County, Florida this 30th day of March, 2012.

WM. BRUCE SMITH, Chief Judge