



Judiciary Committee

**Tuesday, October 10, 2017
12:30 PM
404 HOB**

Meeting Packet

**Richard Corcoran
Speaker**

**Chris Sprowls
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Judiciary Committee

Start Date and Time: Tuesday, October 10, 2017 12:30 pm
End Date and Time: Tuesday, October 10, 2017 02:30 pm
Location: Sumner Hall (404 HOB)
Duration: 2.00 hrs

Overview of Legislation From the 2017 Session and Implementation Updates, including:
- Juvenile Justice Reform, by the Department of Juvenile Justice (HB 7059)

Presentations on:

- Plan to develop a statewide uniform case management database for caseload data collection and reporting;
- New judicial rules; and
- Status of death penalty cases impacted by Hurst v. State

NOTICE FINALIZED on 10/03/2017 4:16PM by Bowen.Erika

**FL Department
Of Juvenile Justice**



FLORIDA DEPARTMENT OF JUVENILE JUSTICE

PART OF THE COMMUNITY, PART OF THE SOLUTION

Implementation of HB 7059

An Act Relating to Juvenile Justice

**House Judiciary Committee
October 10, 2017**

Rick Scott, Governor

Christina K. Daly, Secretary



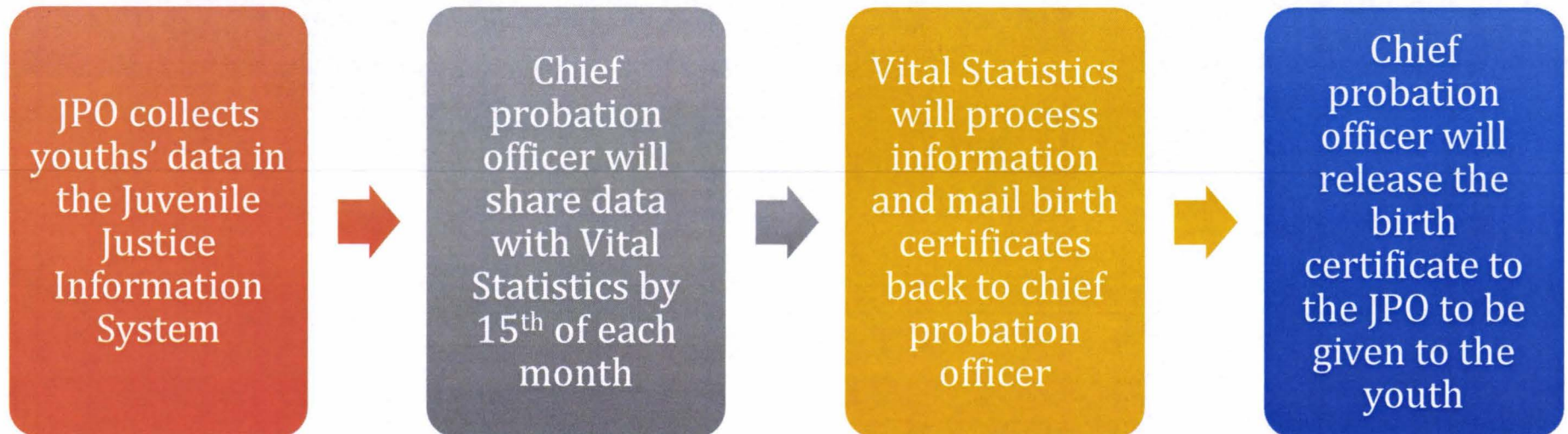
HB 7059

- **HB 7059 by Rep. J. Grant – Juvenile Justice**
 - Signed into law on June 23, 2017 (Ch. 2017-164, L.O.F.)
 - Effective October 1, 2017
- 1. Provides no-cost birth certificates for DJJ youth
- 2. Expands secure detention for all youth awaiting placement
- 3. Creates the designation “Prolific Juvenile Offender” (PJO)
- 4. Provides for the use of electronic monitoring of PJOs



Obtaining A Birth Certificate

The Process: DJJ has worked with Department of Health's Office of Vital Statistics





Awaiting Placement

- Beginning October 1, 2017, youth who are adjudicated and awaiting placement for non-secure residential will now wait in secure detention until a bed is available. Previously they were released back into the community.
- In preparation:
 - Amending medical and mental health provider contracts to account for increase of youth in secure detention
 - Superintendents working to fill staff vacancies
 - Implemented the additional 60 residential beds to address the wait list

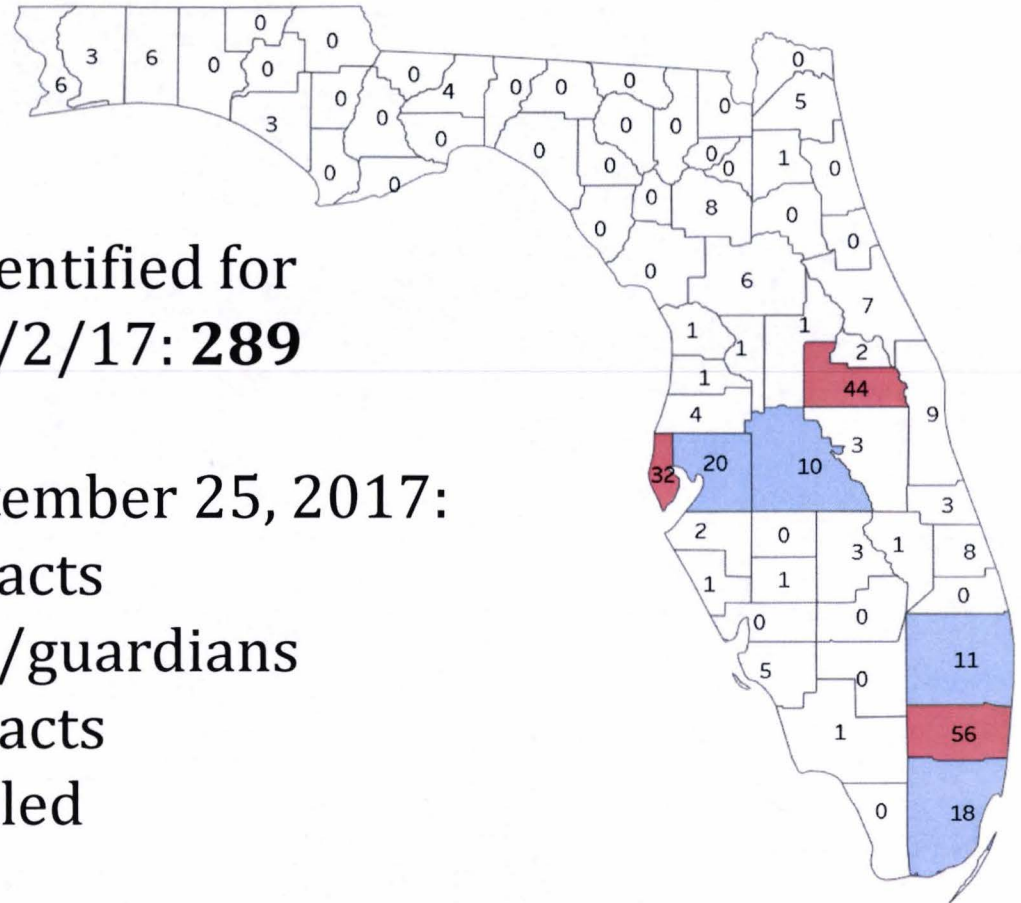


Prolific Juvenile Offenders

- Established standards and procedures for supervision of PJOs
- Chief Probation Officer meetings with local law enforcement
- Weekly reporting to law enforcement
- Programming of the Juvenile Justice Information System (JJIS) for monitoring and oversight
- Developed a PJO Dashboard
- Overview letter sent to:
 - Police Chiefs and Sheriffs via Associations
 - School Districts
 - Court System (Judges, Public Defenders and State Attorneys)



Prolific Juvenile Supervision Policy



Total # of juvenile offenders identified for increased supervision as of 10/2/17: **289**

Between May 1, 2017 and September 25, 2017:

- **5,249** total face-to-face contacts
- **2,907** contacts with parents/guardians
- **1,898** law enforcement contacts
- **390** compliance violations filed



Option #1 for Electronic Monitoring

- Law enforcement has their own electronic monitoring (EM) program and is responsible for all aspects of that program.

Collier

Glades

Hillsborough

Pinellas

Seminole



Option #2 for Electronic Monitoring

- Law enforcement utilizes the Department's EM provider and is the primary EM alert recipient.

Alachua

Brevard

Pasco

Polk

Volusia



Option #3 for Electronic Monitoring

- We will utilize local Department services to monitor EM alerts. They will then notify law enforcement to respond.

Baker	Escambia	Holmes	Marion	Santa Rosa
Bay	Flagler	Indian River	Martin	Sarasota
Bradford	Franklin	Jackson	Monroe	St. Johns
Broward	Gadsden	Jefferson	Nassau	St. Lucie
Calhoun	Gilchrist	Lake	Okaloosa	Sumter
Charlotte	Gulf	Lee	Okeechobee	Union
Citrus	Hardee	Leon	Orange	Wakulla
Clay	Hendry	Levy	Osceola	Walton
Desoto	Hernando	Liberty	Palm Beach	Washington
Duval	Highlands	Manatee	Putnam	



Option #4 for Electronic Monitoring

- The Department will handle all aspects of the monitoring including responding to alerts.

Columbia

Dade

Dixie

Hamilton

Lafayette

Madison

Suwannee

Taylor



Questions?

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Accessible • Fair • Effective • Responsive • Accountable

Caseload Reporting Plan and Other Court Developments

House Judiciary Committee

October 10, 2017

Presentation Topics

- I. Caseload Reporting Plan
- II. Financial & Gift Disclosure Requirements
(Code of Judicial Conduct)
- III. Senior Justices
(Rule of Judicial Administration)
- IV. Death Penalty Cases: Hurst v. State



I. Caseload Reporting Plan

Overview - Caseload Reporting Plan



Proviso

Background

Current Efforts

Next Steps

FY 2017-18 Budget Proviso Language

The Office of the State Courts Administrator shall submit a plan to develop, within existing appropriations, a statewide uniform case management database system for the purpose of caseload data collection and reporting.

Fundamental Principles

- Relevant, responsive, and accurate information
- Enhance adjudication process
- State and local usability
- Efficient use of court resources
- Advance data management goals



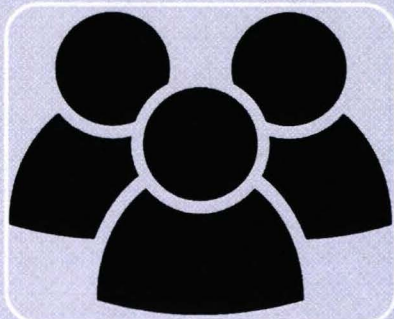
Comparison

	Current Summary Reporting System	Statewide Uniform Trial Court Caseload Reporting System Plan
Number of Filings	✓	✓
Number of Dispositions	✓	✓
Clearance Rates	✓	✓
Avg. Time to Disposition	✗	✓
Number of Active Pending Cases	✗	✓
Avg. Age of Active Pending Cases	✗	✓
Searchable	✗	✓
Accessible by Other Levels of Court	✗	✓

Background

- Event definitions used in foreclosure reporting
- Event definition framework adopted by Supreme Court (AO14-20)
- Uniform Case Reporting data collection specification developed
- Case event data reporting required by Supreme Court (AO16-15)
- Uniform Case Reporting pilot

Current Efforts



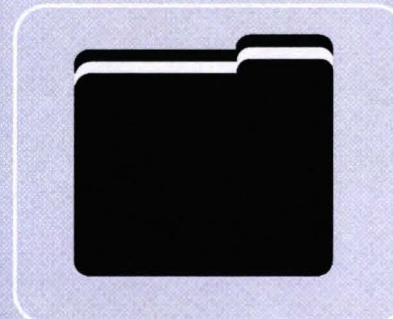
Staff Team



Technical
Advisory Team

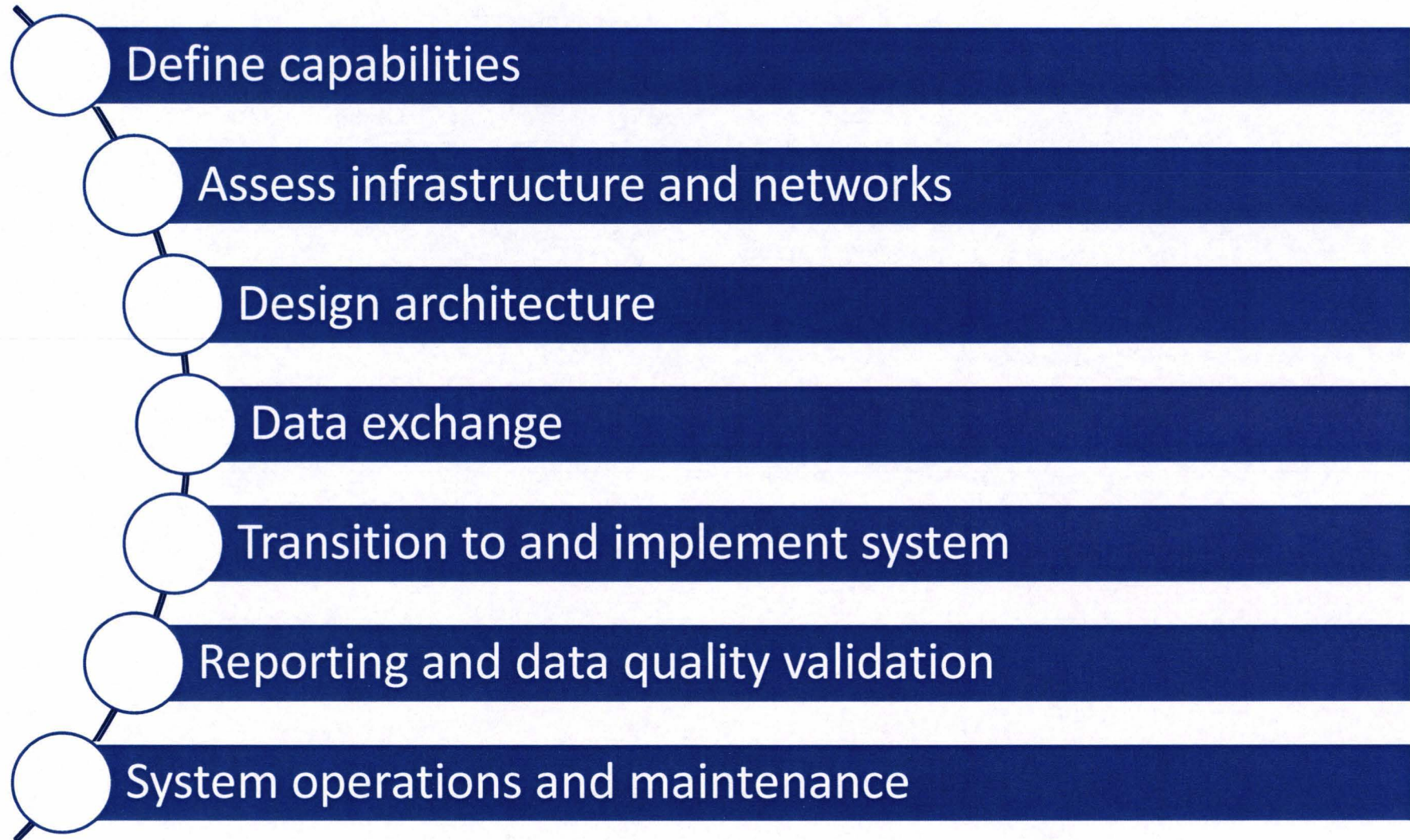


Appropriation
Advisory Team



FL Court Clerks
and
Comptrollers
&
FL Clerks of
Court
Operations
Corporation

Plan Elements



Next Steps

- Complete definition review with clerks
- Complete identifying activities and assigning cost
- Consider funding options and impacts
- Seek technical external review
- Conduct internal review and finalization

Statewide Uniform Trial Court Caseload Reporting System

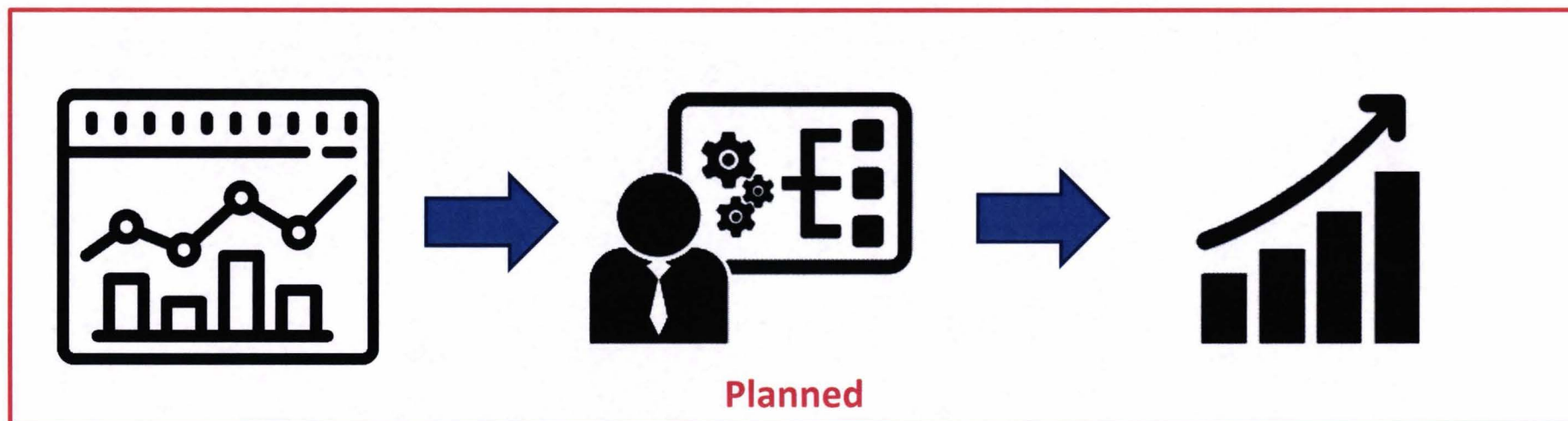
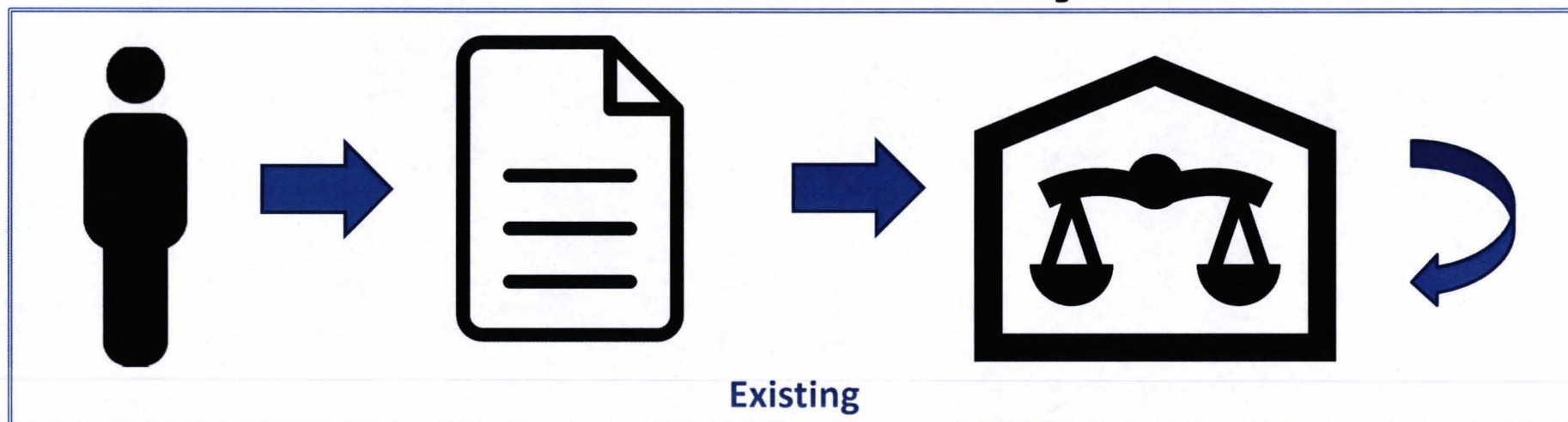
Data Receipt

Processing

Storage

Computations

Process and Analysis



II. Financial & Gift Disclosure Requirements (Code of Judicial Conduct)

Financial & Gift Disclosure Requirements

Supreme Court amends Code of Judicial Conduct:

- Clarifies compensation reporting for quasi-judicial and extrajudicial services, making clear that in addition to honoraria, travel expense reimbursement and direct payments for travel expenses must be reported.

Financial & Gift Disclosure Requirements

- Clarifies gift reporting related to Bar Association luncheons, dinners, or other social events.
- Reiterates that Canon 6 disclosure reporting fulfills judges' requirements.

III. Senior Justices

(Rule of Judicial Administration)

Senior Justices

Supreme Court amends Rule of Judicial Administration to provide that:

No retired justice or other judge may be assigned to Supreme Court, or continue in such assignment, after 7 sitting duly sworn justices are available and able to perform duties of office.



IV. Death Penalty Cases: Hurst v. State

Death Penalty Cases: Hurst v. State Since 11/2016

- Florida Supreme Court remanded 55 cases for a new penalty phase
 - 21 were on direct appeal
 - 24 were in postconviction

Death Penalty Cases: Hurst v. State Since 11/2016

- Approximately 100 3.851 appeal cases, where the sentence was final pre-Ring, pending in the Florida Supreme Court.
- In Hitchcock v. State, the Florida Supreme Court (again) held that Hurst not retroactive to pre-Ring cases. Opinion final on 10/4/17.
- Over 100 Orders to Show Cause issued in the last two weeks as to why the trial court orders denying relief on the pre-Ring cases should not be affirmed in light of Hitchcock.
- Responses due by end of November.

Death Penalty Cases: Hurst v. State Since 11/2016

- Less than 50 pre-Ring postconviction cases still pending in the trial courts.
- Trial courts have granted Hurst relief in approximately 25 cases.
- Approximately 20 defendants already resentenced to a lesser sentence and moved off of death row.
- More than 50 cases are pending resentencing.

Contact:

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