

**ORDER ESTABLISHING TRUANCY NIGHT COURT
FOR CHARLOTTE COUNTY**

Pursuant to this Court's inherent authority to administer and regulate the courts of the Twentieth Judicial Circuit, as well as the authority prescribed by Fla. R. Jud. Admin. 2.050 and Florida Statute § 43.26, the Court hereby establishes a Truancy Night Court Program for Charlotte County Florida.

Truancy petitions filed with the Clerk of the Court by the Superintendent of Schools are governed by Chapter 232 of the Florida Statutes. Upon the filing of any such petition with the Clerk of the Court in the Juvenile Division, the Clerk shall assign a case number and a summons shall issue directed to the parent and child for an arraignment hearing at the next scheduled truancy court date that is no later than thirty (30) days of the filing of the petition.

Practice and procedures for such petitions are as set forth in Florida Statute § 984.151 and any applicable rules of court. At the initial hearing, the court will arraign both the child and the parent on the petition and if the parent and child admit or consent to the petition, the court shall proceed as prescribed by Florida Statute § 984.151(7).

If the parent and child deny the allegations in the petition at the initial hearing, the court will set a trial date and notice will be given to the school social worker or other school representative to appear on the trial date to present the school's case. In that instance, the court shall proceed to make findings on the record and issue its ruling pursuant to Florida Statute § 984.151(7).

Copies of the disposition order shall be given to the superintendent, the school social worker or other school representative, the parent or guardian of the child, and the child.

The school district, through its designated representative, is responsible for assisting the parent or guardian and the child with compliance with the court order. This representative will be available for review hearings to inform the court of the progress of the case.

The court will set a review hearing, no less than thirty (30) days from the date of disposition, in order to ensure compliance with its order and may set further review hearings as may be necessary within the exercise of its sound discretion. Any order entered by the court is enforceable through its contempt powers pursuant to Florida Statute § 984.151(9).

Truancy Night Court will be held at the Charlotte County School Board Office located at 1445 Education Way, Port Charlotte, Florida in the school board meeting room and at such intervals as the court deems necessary in order to carry out the purposes and intent of this order.

Guidelines for the establishment of the Truancy Night Court Program are as provided in the proposal submitted by the Supervisor of Social Work Services for the Charlotte County Public Schools. A copy of the proposal is attached to this order and made a part hereof.


Any incidental costs associated with the operation of this program shall be born by the school district as provided in the proposal. Such costs may include, but are not limited to, costs incident to the provision of security and clerk's personnel.

This order shall remain in effect until otherwise modified, amended or rescinded by further order of the Court.

DONE AND ORDERED in Chambers in Punta Gorda, Charlotte County, Florida this
27 day of Feb., 2002.

ATTEST:


William D. Wilkinson, Sr.
Court Administrator


William L. Blackwell
Chief Judge