



Jl-FL-002-004

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

BOBBY M., et al.)
)
 Plaintiffs,)
)
 v.)
)
 ROBERT GRAHAM, et al.)
)
 Defendants.)

No. TCA 83-7003

ORDER

Based on the stipulation between the plaintiffs and HRS defendants,

IT IS HEREBY ORDERED:

1. No children shall be confined or placed in the Alyce D. McPherson School, Ocala, for any purpose after December 31, 1984.
2. No child placed or confined at the McPherson School shall be transferred to any other training school for the purpose of closing the McPherson School. For all children transferred from the McPherson School to any other training school the HRS defendants shall provide to plaintiffs' counsel a written report which includes the reasons for any transfer.

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U.S. DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
ORLANDO, FLORIDA

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3. After December 31, 1984, no female children shall be confined or placed in any training school.
4. After December 31, 1984, no male children aged 13 and under shall be placed or confined in any training school.
5. After December 31, 1984, no male children who are status offenders shall be placed or confined in any training school. A status offender for purposes of this decree includes children who are committed to the custody of the HRS defendants on the basis of: (a) a dependency order; (b) a violation of a court order the underlying offense for which is a status offense; (c) the non-felonious running away from a non-secure placement; and (d) such other categories as the parties may agree to from time to time.
6. In the event any child is placed in or confined to a training school in violation of paragraphs 2-5, the HRS defendants shall provide immediate notice to counsel for the plaintiffs and promptly furnish a copy of the entire HRS file on the child.
7. To effectuate administratively the requirements of this order, the HRS defendants shall:

- a. Inform all appropriate HRS personnel that as of July 1, 1984 training schools shall not be a recommended placement to the state court in any form for children identified in paragraphs 3-5 above;
- b. Inform the HRS Office of Central Admissions and Interstate Compact (OPAC) that all requests for transfer or placement in the training schools shall be disapproved;
- c. Provide OPAC and appropriate HRS personnel an explication of the inappropriateness of training school placement for these children, including information developed by the superintendents of the training schools;
- d. Inform OPAC and appropriate HRS personnel that information concerning the inappropriateness of such placements shall be provided to the state courts, if necessary.
- e. Provide training school and district personnel with access to legal counsel when necessary to explain to the state courts the inappropriateness of training school placement and the existence of this order.
- f. Provide notice to counsel for the plaintiffs of all waivers requested of OPAC for training school placement.

8. Counsel for the plaintiffs may enforce the terms of
this order on motion.

ORDERED this 6th day of August, 1985, in Tallahassee

Florida.


UNITED STATES DISTRICT JUDGE