



JI-FL-005-002

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

OFFICE OF CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE, FLORIDA
1980 JUN 13 PM 3:30

H.C., etc., et al.,
Plaintiffs,

vs.

TCA 79-0830

DEE JARRARD, etc., et al.,
Defendants.

STIPULATION AND CONSENT ORDER

The parties by undersigned counsel stipulate this 12th day of June, 1980 to the following provisions:

ATTORNEY-CLIENT COMMUNICATIONS:

1. Detainees are entitled to privacy and confidentiality of attorney-client communications.
2. Defendants shall prohibit traffic through the present attorney-client interview room except for a real emergency during attorney-client conferences. Defendant Wade's directive of January 23, 1980 attached hereto affords sufficient safeguards to the attorney-client relationship.
3. Defendants shall provide an attorney-client interview in any new facility which room shall be designed to insure privacy and confidentiality.
4. Attorney-client telephone calls will not be limited in number. Further, such telephone calls will not take place within earshot of detention staff.
5. Witnesses or parties may accompany an attorney at any time.

PROCESSING AND ADMISSIONS

6. At the outset of this action, children experienced excessive delays in processing and admissions. The HRS Task Force Report likewise concluded that the amount of time between a child's delivery to the facility, the time the child is actually screened by intake and the time a child is admitted into the detention was excessive and caused security problems.
7. Pursuant to directives dated May 14 and 15, 1979, Defendants Jarrard and McClintock implemented a specialized intake unit to be assigned to the detention center on a 24 hour basis in order to expedite processing and provide uniformity in decisions to detain. Plaintiffs are satisfied that this unit has adequately resolved the problems identified above.

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8. Accordingly, Defendants shall continue the existence and function of the specialized intake unit, or its equivalent to prevent delays in intake processing.

COMMUNICATIONS WITH HRS COUNSELORS:

9. Immediate steps shall be taken to insure adequate communication between detainees and HRS counselors other than detention staff, specifically single-intake and probation counselors. Appropriate steps shall include the implementation of formal procedures by which a detainee can request in writing to speak with his/her counselor without the need to identify the particular counselor. Further, provisions shall be made for the formal and regular transmittal of such requests to intake or probation staff by detention staff. Provisions shall be made for intake or probation staff to identify the particular counselor assigned to the detainee and for a prompt response by that counselor to the detainees request.

10. The Assistant Superintendent and/or Superintendent shall be responsible for monitoring compliance with these procedures and shall direct any non-compliance on the part of single intake or probation staff to Defendant Jarrard or other appropriate supervisor.

11. The purpose of these procedures are to enhance communications pertaining to court proceedings, court dates, recommendations of counselors, assisting in contacts between detainees and parents, attorneys or other significant persons or agencies and to generally reduce the level of anxiety and confusion on the part of detainees. These formal procedures shall be directed to this end and shall be reduced to writing and be made available to counsel for the parties.

FOOD SERVICES

12. Defendant shall continue the contract of December, 1979 with the Volusia County Health Department for nutritional consultative services which shall include periodic review of menus and meal preparation by a nutritionist or dietician.

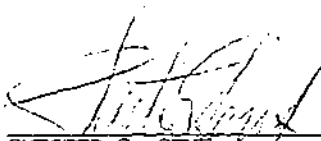
13. Defendant shall take immediate steps to insure proper storage of food, in particular to separate food from toxic materials such as pesticides and cleaning agents. Defendants shall comply with recommendations of inspection reports of the Volusia County Health Department. Defendants shall continue their efforts to insure a sufficiently staffed food services including provision for an additional full time cook.

14. The meal schedule of June 3, 1980 designed to eliminate the wide disparity between the evening meal and the next day's breakfast shall remain in effect.

FIRE SAFETY

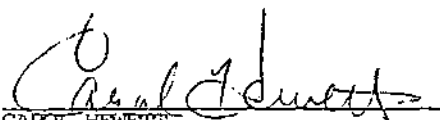
15. Any deficiencies noted to date by fire inspectors have been remedied in a prompt manner. Defendants shall continue to comply in the soonest time feasible with the recommendations of the Fire Marshall, Department of Insurance, State of Florida.

16. The parties hereto do consent to the entry of a consent order approving the above stipulation and ordering compliance with the terms thereof.

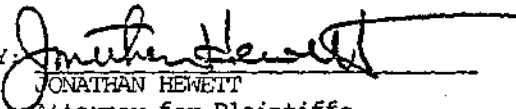


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BY: 

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Attorney for Plaintiffs

ORDER

This court having considered the foregoing stipulation does hereby approve said stipulation and orders the Defendants, their agents, their employees and their successors in office to comply with the terms contained therein.

This court reserves jurisdiction of this cause for purposes of insuring compliance with the terms of the stipulation and order.

This stipulation and order shall be posted in several conspicuous places throughout the Volusia Regional Juvenile Detention Center. Any complaints of noncompliance shall be directed to the attorneys listed above.

Done and ordered this 20th day of June, 1980.



United States District Court Judge