

**Common Florida Juvenile Court Objections  
With Revised Code Citations**

Domestic exception	Court needs to make written findings that respite care is not available <u>and</u> that it's necessary to detain the child to protect the victim from injury	985.255(2) 741.28 (Defines Domestic violence)
More restrictive detention status than RAI	Court needs clear and convincing reasons in writing why it is disregarding the RAI	985.255(3)(b)
72-hour detention	Failure (Willful) to Appear for Trial on the current case; Failure (Willful) to Appear two or more court hearings on the current case	985.255(1)(i) 985.255(1)(j)
72-hour detention for comprehensive eval.	If residential commitment is anticipated or recommended- this may also be extended 72 additional hours	985.26(5) 985.43(1)(c)
Upward deviation from PDR recommendation	Court must give reasons related to the characteristics of the restrictiveness level and the needs of the child; the reasons have to be supported by the record and established by a preponderance of the evidence	985.433(7)(b)
21-day trial & 9-day extension	Court can extend detention to 30 days with good cause; must be 2 <sup>nd</sup> degree violent felony or above	985.26(2)
15 days of detention between plea/trial and sentencing	Statute does not address any exceptions to this time limit	985.26(3)
5/15 day placement after sentencing	May be held for 5 days; low risk must be released; mod risk may be extended to 15 days if good faith belief that placement will occur. No time limit for High or Max, but child must score for detention.	985.27(1)(a) 985.27(1)(b)
Home detention violation	5 days (Max) for HD violation awaiting placement. Additional violations still only allow 5 days	985.27(1)(a) 985.27(1)(b)
Contempt	5 days for first contempt, 15 for second or subsequent violations.  Court must follow proper procedure in finding child in contempt	985.037(2)  985.037(4)
Maximum risk	Enumerated felonies and other Max Risk qualifications	985.465

*Courtesy of the Fourth Judicial Circuit Public Defenders Office, [rwm@pd4duval.coj.net](mailto:rwm@pd4duval.coj.net) (Rob Mason)*