



Arizona Supreme Court No. R-15-0036  
Page 2 of 4

TO:  
Rule 28 Distribution  
Christina M Phillis  
David K Byers  
Beth Rosenberg  
Amy Michelle Kalman  
Mikel Steinfeld  
William G Montgomery  
Mark C Faull

**ATTACHMENT\***

Rule 12. Attendance of Juvenile at Proceedings

(A) – (D) [No change]

E. Mechanical Restraints.

1. When a juvenile appears before a judicial officer at a hearing in the juvenile’s delinquency case, the juvenile shall be free of mechanical restraints unless there are no less restrictive alternatives that will prevent flight or physical harm to the juvenile or another person. Relevant factors in determining whether the use of mechanical restraints is warranted include:

a. The juvenile has displayed threatening or physically aggressive behavior towards others;

b. The juvenile is likely to flee, has expressed an intention to flee, or has previously attempted to flee secure care;

c. A probation officer, detention administrator or designee, or juvenile detention officer has recommended the use of mechanical restraints; and

d. A present security situation in the courtroom or courthouse, including a risk of gang violence or gang-related conduct or a specific concern due to a witness presence, warrants the use of mechanical restraints.

2. A prior determination by a court that the juvenile should appear in mechanical restraints remains in effect until further order of the court.

3. If a juvenile is brought before the judicial officer in mechanical restraints, the juvenile may object through counsel. After the judicial officer has heard from the juvenile, the state, and any detention personnel, and considered the factors listed in subparagraphs (1)(a)-(d) above, the judicial officer shall approve or disapprove the use of restraints.

4. Except when a juvenile appears before a judicial officer at a hearing in the juvenile’s delinquency case, the use of mechanical restraints shall be governed by the Policies and Procedures in effect for the courts in the specific county as required by the Arizona Juvenile Detention Standards.

---

\*Additions to text are shown by underscoring, deletions by ~~strikeouts~~.

5. Any restraints shall allow the juvenile limited movement of the hands to read, handle documents, and write.

6. Mechanical restraints include handcuffs, leg irons, belly chains, zip ties, spit hoods and masks, and any other device used to restrain movement of the arms, legs or torso.