

IN THE SUPREME COURT OF THE STATE OF ARIZONA
ADMINISTRATIVE OFFICE OF THE COURTS

In the Matter of:)	
)	
AUTHORIZING PIMA COUNTY)	Administrative Directive
TO BE GOVERNED BY THE)	<u>No. 2009 - 31</u>
ARIZONA CODE OF JUDICIAL)	
ADMINISTRATION SECTIONS)	
6-105.01, 6-201.01, AND 6-204.01)	
)	

The Chief Justice of the Arizona Supreme Court signed Administrative Orders (AO) No. 2008-104 (Arizona Code of Judicial Administration (ACJA) § 6-201.01 Standard Probation Evidence Based Practices); No. 2008-105 (ACJA § 6-105.01 Powers and Duties of Officers Evidence Based Practices), and No. 2009-39 (ACJA § 6-204.01 Interstate Compact Evidence Based-Practices). Each of these orders stated that departments shall be governed by existing code sections, “unless and until the presiding judge of the court submits a plan and requests approval by the Administrative Director, Administrative Office of the Courts (AOC), for the court’s probation department to be governed by ...” Each AO then lists the specific evidence-based code section, i.e., ACJA 6-105.01, 6-201.01, and 6-204.01.

Each order further provides that the Administrative Director shall approve a request and plan that meets the following criteria:

1. The plan presents policies and procedures for the approval of the Administrative Director of the AOC that do the following:
 - a. Aim to reduce offender risk and the likelihood of future criminal behavior that are consistent with the principles of evidence-based practices;
 - b. Require the administration of standardized reassessments upon the discovery of significant changes in criminogenic risk and needs or continued criminal conduct, including arrests for new criminal offenses for probationers that assess as low on the initial standardized assessment;
 - c. Require probation officers to utilize graduated responses of consequences and incentives to address violation behavior and promote positive behavioral change;
 - d. Identify the criteria for recommendation of early termination for eligible probationers, including the requirement that officers review case files to determine eligibility, and;

- e. Require the supervising officer to develop a new case plan for probationers assessed as low risk on the standardized assessment or reassessment if an intervention for criminogenic risk or needs is required.
2. The plan documents and confirms that all current probation and surveillance officers have completed AOC approved training in the following areas:
 - a. Revised standardized assessment
 - b. Arizona Code of Judicial Administration sections 6-105.01, 6-201.01, and 6-204.01.
 3. The plan presents for approval a strategic plan that is consistent with evidence-based practices.

On October 22, 2009, the Honorable Jan E. Kearney, Presiding Judge of the Superior Court of Arizona in and for Pima County, submitted a plan and requested the approval for the probation department in Pima County to be governed by the Arizona Code of Judicial Administration Sections 6-105.01, 6-201.01, and 6-204.01. Upon review, I find that the plan meets the criteria set forth in the above captioned AO's, and will therefore approve the request.

Now, therefore, after due consideration and pursuant to Administrative Orders No 2008-104, 2008-105, and 2009-39,

IT IS DIRECTED that the probation department in Pima County is approved for governance under the Arizona Code of Judicial Administration Sections 6-105.01, 6-201.01 and 6-204.01, on and after the date of signature.

Dated this 28th day of October, 2009.

David K. Byers
Administrative Director