

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

In the Matter of:)	
)	
MODIFYING ARIZONA CODE OF)	Administrative Directive
JUDICIAL ADMINISTRATION)	No. 2020-02
SECTION 6-301.01 AND 6-302.01)	
REQUIREMENTS DUE TO A PUBLIC)	
HEALTH EMERGENCY)	
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As the Judicial Branch addresses the statewide emergency due to concern for the spread of COVID-19, certain administrative orders have been issued that address court operations during this pandemic. In Administrative Order No. 2020-45, the Chief Justice ordered that the Administrative Director “may suspend the requirements of any section of the Code of Judicial Administration if he determines that public health emergency measures significantly impair the ability to operate the program or the parties governed by that code section”.

To ensure effective and evidence-based probation supervision of juveniles during this emergency, and to facilitate the continuation of operations, it is necessary to adjust the following requirements of ACJA 6-301.01 and 6-302.01.

Therefore, pursuant to Administrative Order No. 2020-45,

IT IS DIRECTED that the following requirements are suspended or modified as follows:

DEFINITIONS

ACJA §6-301.01: Juvenile Standard Probation Evidence-Based Practices and 6-302.01: Juvenile Intensive Probation Supervision Evidence-Based will now have a revised definition for “Visual Contacts”. The definition will read as follows:

“Visual contact” means face-to-face communication or visual contacts conducted via AOC approved technology with the juvenile at any place, including, but not limited to, the probation department and the juvenile’s residence, place of employment, treatment location or community restitution placement to discuss progress, issues of concern or other appropriate matters. Contacts with juveniles are not ends in themselves but are opportunities for officers to achieve specific objectives. These objectives include establishing rapport with the juvenile, assessing the juvenile’s criminogenic factors and triggers, developing and, when needed, modifying a case plan, and using both subtle and overt incentives and sanctions to guide the juvenile toward positive change.

ACJA §6-301.01 MINIMUM SUPERVISION REQUIREMENTS

The Minimum Supervision Requirements established in ACJA §6-301.01(K) are modified to require that all supervision is based upon risk level. The Arizona Youth Assessment System (AZYAS), which determines the level of risk to reoffend, is administered for each juvenile placed on standard probation. The risk levels include Low, Moderate and High. For juveniles on standard probation, risk-based contacts will be based upon the most recent AZYAS.

They are as follows:

1. Low risk-- One telephonic communication monthly, no visual contact required.
2. Moderate risk--one visual contact monthly with the juvenile and parent.
3. High risk—one visual contact monthly with the juvenile and parent.
4. Court Ordered Out of Home—Telephonic communication with the juvenile and provider one time per month.

In all other respects, the minimum supervision requirements will remain in effect.

ACJA USE OF THE AZYAS SCREENER

ACJA § 105.01 Powers and Duties of Officers Evidence-Based Practices, specifically ACJA 6-105.01(3)(H)(2), requires that the disposition tool be completed post adjudication/pre disposition. The probation officer shall use results of the assessment to recommend level of placement and supervision. The AZYAS Screener may be used as an acceptable assessment, so long as the use is outlined in department policy that is approved by the AOC.

OTHER MODIFICATIONS

Required signatures for Conditions of Probation and Case Plans can be satisfied by email confirmation or electronic means as recorded by the Probation Department.

Dated this 20th day of March, 2020.

DAVID K. BYERS
Administrative Director of the Courts