

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
TRANSMITTAL OF DEPENDENCY) Administrative Order
CASE INFORMATION FROM THE) No. 2020 - 135
CLERK OF THE SUPERIOR COURT)
TO THE ARIZONA DEPARTMENT)
OF JUVENILE CORRECTIONS FOR)
COMMITTED INDIVIDUALS WHO ARE)
SUBJECT TO DEPENDENCY MATTERS)
_____)

Pursuant to Rule 47(A)(1)(f), Rules of Procedure for the Juvenile Court, “A designee of the Department of Juvenile Corrections shall have such access as needed to carry out their assigned duties for any individual who is subject to a commitment order.”

In order to implement this rule in the most effective manner possible, and to provide an efficient method for sharing critical records, information, and data regarding individuals who are committed to the Arizona Department of Juvenile Corrections (ADJC) who are also subject to a dependency petition, Commitment Orders for a dually-involved child¹ must include a confidential addendum (Exhibit A). This addendum must be endorsed to the Clerk of the Superior Court with direction to provide the following records² to a designee of the Department of Juvenile Corrections:

1. The most recent dependency petition pertaining to the child;
2. The most recent dependency adjudication minute entry pertaining to the child;
3. The most recent Report and Review minute entry pertaining to the child in the dependency case.

These records must be transmitted via confidential and secure means to:

Legal Systems Bureau
Arizona Department of Juvenile Corrections
1624 W. Adams Street
Phoenix, Arizona 85007
minuteentry@azdjc.gov

1. A.R.S. §8-342 addresses the commitment of a child to ADJC. The term “child” is used throughout the statute. To achieve consistency with the statute, this Administrative Order uses the term “child” as well.
2. The categories of “Confidential” and “Sealed” records are different and require different handling by the Clerk of the Court. This Administrative Order applies only to confidential records. It does not apply to sealed records.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED adopting the attached confidential addendum (Exhibit A) to accompany any commitment order for a dually-involved youth.

IT IS FURTHER ORDERED that the records, information, and data provided in response to Exhibit A, “*Confidential Addendum and Order*” are confidential and shall be maintained by ADJC as confidential in compliance with all applicable confidentiality requirements including but not limited to A.R.S. § 8-807; Rule 123, Rules of the Arizona Supreme Court; and Rule 47, Rules of Procedure for the Juvenile Court.

IT IS FURTHER ORDERED that ADJC shall treat in a confidential manner and prevent public access to all records, information, and data provided by the Court. ADJC shall not publish or re-disseminate the records, information, and data in any form and shall use the same only for purposes authorized by law, to carry out their assigned duties for any individual who is subject to a commitment order, consistent with A.R.S. §§ 41-2801 to 41-2812.

IT IS FURTHER ORDERED that this confidential addendum be endorsed to the Clerk of the Superior Court in the county of commitment.

IT IS FURTHER ORDERED that this confidential addendum is not necessary if the county has provided ADJC with confidential and protected online access to dependency case records. This order is not intended to displace any such means of confidential records, information and data exchange.

Dated this 12th day of August, 2020.

ROBERT BRUTINEL
Chief Justice

Exhibit A

CONFIDENTIAL ADDENDUM AND ORDER

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF _____

Pursuant to Rule 47(A)(1)(f), Rules of Procedure for the Juvenile Court, “A designee of the Department of Juvenile Corrections shall have such access as needed to carry out their assigned duties for any individual who is subject to a commitment order.”

[name of child _____], is subject to a Commitment Order to the Arizona Department of Juvenile Corrections, [repeat name _____] is also subject to a dependency petition, and/or in the care, custody and control of the Arizona Department of Child Safety.

To implement Rule 47 in the most effective manner possible, the Clerk of the Superior Court is ordered to provide the following information to the Arizona Department of Juvenile Corrections:

1. The most recent dependency petition pertaining to the child;
2. The most recent dependency adjudication minute entry pertaining to the child;
3. The most recent Report and Review minute entry pertaining to the child in the dependency case.

This information must be transmitted via confidential and secure means to:

Legal Systems Bureau
Arizona Department of Juvenile Corrections
1624 W. Adams Street
Phoenix, Arizona 85007
minuteentry@azdjc.gov

Dated this ____ day of _____, 202__

Judge of the Superior Court