

## Committee on Juvenile Courts

## Committee Minutes

Meeting Date: June 13, 2016  
Minutes taken by: Natalie Foster

The meeting was called to order by  
Judge McNally at 12:34pm

### Roll Call

#### Present:

Elledge, Honorable Karl (via phone); Jantzen, Honorable Lee; Koch, Connie (via phone); Lutt-Owens, Caroline; McNally, Honorable Colleen (Chair; via phone); Meaux, Eric (via phone); Oldham, Honorable Brenda (via phone); Reeves, Honorable Mark Wayne (via phone); Ruechel, Honorable Michala (via phone); Schow, John (proxy for Honorable Kathleen Quigley; via phone) Wright, Honorable Timothy (via phone); Young, Honorable Anna (via phone).

#### Absent:

Corsaro, Honorable Kimberly; Kelroy, Joe; Latham, Honorable Mike; Mabery, Scott; McCullough, Honorable Margaret; Perez, Martin; Quigley, Honorable Kathleen; Sanders, Honorable Corey; Stauffer, Honorable Monica; Tickle, Shelia; Vederman, Honorable Samuel.

#### Staff Present:

Preston, Nina

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**Topic:** Discussion on Comments to Rule Petition R-15-0040  
(Possible Action Item)-Three handouts included

Speaker: Judge Colleen McNally, Chairperson; COJC

#### Summary of Discussion:

The COJC met to discuss a comment that was filed by Christina Phillis on behalf of the Arizona Public Defender Association (APDA), in response to the COJC's Parent Attorney Representation Standards rule petition.

The COJC discussed a draft reply (handout) that was presented as a starting point for discussion.

Discussion ensued regarding the various points in the APDA's comments.

**Motion:** To file the draft reply but amending Section IV of the reply to include: The comment suggests that in the majority of the counties that the indigent representation offices determine who is competent to represent parents in dependency matters. It is important for the court to point out that in the majority of the counties it is through court appointed contract that attorneys are appointed to represent parents in dependency matters. Thus, it is the court who should have the ability to determine if an attorney is competent to represent parents in dependency matters.

**Action:** Approve; **Moved by:** Honorable Brenda Oldham; **Seconded by:** Honorable Anna Young.

Motion passed unanimously.

Discussion continued regarding the application of standards.

**Motion:** To amend the original motion that the reply to the comments presented by Ms. Phillis be submitted with Section V. Application of Standards being amended to read: The comment alleges that the Standards as written do not apply to privately retained attorneys. The standards apply to all attorneys whether they are court appointed or privately retained. However, the mandatory training requirement only pertains to the court appointed attorneys. **Action:** Approve; **Moved by:** Judge Oldham; **Seconded by:** Judge Young.  
Motion passed unanimously.

The AOC has until June 30 to file the reply.

The meeting adjourned at 1:22pm.