

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
ARIZONA CODE OF JUDICIAL)	Administrative Order
ADMINISTRATION § 6-114:)	<u>No. 2008- 63</u>
COMMITTEE ON PROBATION)	(Replacing Administrative
<hr/>)	Order No. 90-52)

The above captioned provision having come before the Arizona Judicial Council on June 19, 2008, and having been approved and recommended for adoption,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the above captioned provision, attached hereto, is adopted as a section of the Arizona Code of Judicial Administration.

Dated this 23rd day of July, 2008.

RUTH V. McGREGOR
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 6: Probation

Chapter 1: General Administration

Section 6-114: Committee on Probation

~~SUPREME COURT OF ARIZONA~~

~~ARIZONA JUDICIAL COUNCIL~~

~~COMMITTEE ON PROBATION~~

~~Administrative Order No. 90-52~~

~~In accordance with Administrative Order No. 90-17, advisory committees to help the Committee on Superior Court carry out its responsibilities may be appointed with the approval of the Chief Justice. Now, therefore,~~

~~IT IS ORDERED THAT a committee on probation is hereby established as a standing subcommittee of the Committee on Superior Court and shall be known as the Committee on Probation.~~

~~1.A. Purpose. The purpose of this Committee is to examine current probation procedures and to develop policies and procedures that improves the quality, promote standardization, consistency and coordination of probation procedures statewide. The Committee on Probation (COP) shall be established as a subcommittee of the Committee on Superior Court (COSC) which is a standing committee of the Arizona Judicial Council (AJC) and shall examine current probation practices and develop rules, policies and procedures for recommendation to the COSC, AJC and the supreme court.~~

~~**B. General Policy.** COP shall promote standardization, consistency and coordination of probation services statewide and recommend evidence-based practices and programs that improve the quality and effectiveness of probation services.~~

~~2.C. Membership. The Committee is composed of the following members: all chief probation officers and directors of juvenile court services; the directors of the administrative office of the courts adult services division and juvenile justice services division; the criminal division presiding judge in Maricopa County or his designee; the presiding superior court judge in Pima County or his designee; one member who serves and sits on the Committee on Limited Jurisdiction Courts; and a minimum of two public members whose interests and avocations are adult and/or juvenile corrections and rehabilitation issues. The chairperson of the Committee shall be appointed by the Chief Justice. COP shall be composed of the following members:~~

- ~~1. All chief probation officers and directors of juvenile courts;~~
- ~~2. Directors of the Administrative Office of the Courts (AOC) Adult Probation Services Division and Juvenile Justice Services Division;~~
- ~~3. Two judges; one serving on the criminal bench and one serving on the juvenile bench;~~

4. One member who serves on the Committee on Limited Jurisdiction Courts;
5. One member representing the United States Probation Office, District of Arizona;
6. A minimum of four public members with demonstrated interest or knowledge in criminal justice or juvenile justice matters. The public members shall include:
 - a. A representative from the tribal community;
 - b. A representative from the substance abuse or mental health profession; and
 - c. A crime victim or crime victim advocate.
7. The chief justice may appoint other members to the COP.

3.D. Terms of Members. ~~Committee~~ COP members holding membership by virtue of their position shall be members of ~~the Committee~~ COP so long as they hold their respective positions. ~~The other members of the Committee shall be appointed by the Chief Justice for terms of varying lengths to encourage continuity on the Committee.~~ The chief justice shall appoint other members of COP to a two-year term and may re-appoint ~~C~~committee members ~~may be re-appointed~~ for successive terms.

1. The chairperson shall serve a two-year term from the appointment date. If the chairperson is unable to complete the full term, the chief justice shall appoint an interim chairperson for the remainder of the term.
2. Chairpersons may serve a maximum of two terms as long as that person meets the membership criteria as defined in subsection C.

4.E Responsibilities of Members. ~~COP Committee~~ members shall attend and actively participate in COP Committee meetings, assist with the administration of COP Committee affairs, and shall serve on COP advisory committees as appointed by the chairperson. Members unable to attend a meeting may send a representative. A COP member may designate a proxy subject to ACJA § 1-104 and the following requirements:

1. COP members may not use the proxy provision for more than three times during the member's term;
2. The use of proxies by members of COP is limited to extraordinary circumstances, as determined by the chair; and
3. If a COP member cannot attend a meeting and would like to send a proxy, the member must obtain prior approval of the chair. If approved by the chair, that proxy must comply with other guidelines regarding proxy rights.

- 5.F. Organization.** The Chief Justice shall appoint the chairperson Committee and other leadership as needed to organize committee affairs. ~~Advisory committees to help the Committee on Probation carry out its responsibilities may be appointed by the chairperson.~~ The chairperson may appoint ad hoc advisory committees to help facilitate COP responsibilities.
- 6.G. Meetings.** ~~The Committee COP shall meet, at minimum, no less than three times a per calendar year. and The chairperson may call additional meetings may be called at the discretion of the Committee chairperson.~~ All meetings shall be noticed and open to the public.
- 7.H. Actions.** ~~The Committee COP shall adopt rules for conducting Committee COP business. These rules shall prescribe the quorum and the majority needed to constitute Committee COP actions.~~
- 8.I. Staff.** ~~Under the direction of the chief justice, t~~The Administrative Office of the Courts AOC shall provide staff to assist and support for the Committee COP under the direction of the chief justice.