Arizona Supreme Court Administrative Office of the Courts Dependent Children's Services Division Dually Involved Youth On-Site Technical Assistance Report

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Appendix A: Selected Data Tables and Charts

Arizona Supreme Court, Administrative Office of the Courts Dependent Children's Services Division Dually Involved Youth On-Site Technical Assistance Report March 5-6, 2002

Responding to a request from the Arizona Supreme Court, Administrative Office of the Courts (AOC) to the National Center for Juvenile Justice (NCJJ) for technical assistance (TA), the author visited the state on March 5-6, 2002. The purpose of this visit was to provide technical assistance in the following areas:

- Identify the numbers of "dually involved" youth in Arizona's two largest juvenile courts (Maricopa and Pima counties);
- Identify case characteristics that may be unique to dually involved youth;
- Describe filing practices involved with these cases including private filings;
- Describe any unique case processing approaches used for these cases;
- Ascertain current case management and supervision strategies;
- Obtain information on innovative programs and services provided to these youth;
- Obtain suggestions from key stakeholders on ways to improve the handling of these cases and increase positive outcomes.

This report summarizes general impressions formed on the basis of the two-day visit and offers recommendations for further analysis and incremental improvements in efforts to effectively serve juveniles involved in both components of Arizona's juvenile court system.

Obviously, the assessment upon which this report is based was not intended to be comprehensive, and all observations and recommendations should be considered preliminary. Two days are simply not enough to conduct a thorough analysis of an issue as complex as this one. Although the author met with a number of juvenile court judges, assistant attorneys general, county attorneys, public defenders, court appointed attorneys, social workers, probation officers, service providers, and other key stakeholders, the magnitude of this issue in Arizona certainly warrants more comprehensive examination. It is hoped that the observations and recommendations contained in this report serve as a springboard for further analysis and ultimately, concrete steps to improve the handling of dually involved cases.

Prior to the two-day on site visit, the author received and reviewed the following information and materials from the AOC:

Supplemental contacts occurred with selected juvenile court judges after these dates.

² "Dually involved" refers to simultaneous involvement in the juvenile court system for dependency and delinquency (or status offense) matters, regardless of which occurred first. Youth do not have to be adjudicated

- The final report covering a five-year follow-up analysis of the Arizona Court Improvement Project (CIP);³
- The 2002 Foster Care Review Board (FCRB) Report and Recommendations.⁴

The AOC's interest in dually involved youth was prompted by a number of factors. First, the most recent CIP study⁵ indicated that the vast majority of youth (included in the CIP study samples) with dependency petitions filed in 1996 and 1999 displayed substantial histories of child protective services (CPS) investigations. This suggests that many of these youth were exposed to patterns of child maltreatment before coming to the juvenile court's attention as dependency petitions. The AOC is aware of the growing body of research that confirms the strong correlation between exposure to patterns of child maltreatment and serious subsequent problems in adolescence. These problems include chronic delinquency, violence, academic failure, mental illness, substance abuse, and teen parenthood.⁶

A second reason for the AOC's interest involves the relatively high rate of prior delinquency and/or status offense histories found among age-eligible dependent youth included in the most recent CIP assessment. Specifically, close to half of all children eight years of age and older⁷ included in the CIP study samples had prior or concurrent court involvement on a delinquency matter – 48% of the children included in the 1996 study sample and 45% of the children included in the 1999 Model Court group. Additionally, one-third or more of these children had been previously placed (or were currently) on probation in addition to their dependency status. As indicated, through this TA request, the AOC sought clarification on the actual numbers of dually involved cases; specifically, cases for a more recent time period. To obtain more up to date counts of dually involved youth, NCJJ staff obtained a data extract from the juvenile court's Juvenile On Line Tracking System (JOLTS)⁸ containing delinquency and dependency data for all children (who were age eight through seventeen) with dependency petitions filed

to be dually involved (i.e., for delinquency, any complaint/referral and/or petition constitutes delinquency involvement; for dependency, any dependency petition constitutes dependency involvement).

³ See G. Siegel, G. Halemba, R. Gunn, and S. Zawacki. *The Arizona Court Improvement Project: Five Years Later (Final Report)*. National Center for Juvenile Justice, January 28, 2002.

⁴ See K. Gottlieb. *One Child Two Systems: Managing and Supervising Dually Adjudicated Youth* January, 2002. The AOC TA request sought additional information beyond what was covered in the FCRB report.

⁵ See The Arizona Court Improvement Project: Five Years Later (pg. 33).

⁶ For example, see B. Kelley, T. Thornberry, and C. Smith. *In the Wake of Childhood Maltreatment*. OJJDP Juvenile Justice Bulletin, August 1997. Also see R. Wiebush, R. Freitag, and C. Baird. *Preventing Delinquency Through Improved Child Protection Services*. OJJDP Bulletin, July 2001.

⁷ In Arizona, law violations committed by juveniles age eight through 17 are eligible for juvenile court processing (although certain categories of serious offenses require mandatory waiver to the adult criminal justice system).

⁸ JOLTS began as a county-based delinquency tracking system in Maricopa County and was subsequently enhanced and expanded for statewide delinquency tracking. Today, JOLTS also serves as the primary statewide dependency tracking system though levels of implementation vary across counties. The AOC is the central repository of statewide JOLTS data.

from January 1 through October 5, 2001 (just over a nine-month period). The data also offer a preliminary look at how these cases entered the court system.

A third reason for the AOC's interest involves the systemic impact of these cases. Dually involved youth often require the involvement of multiple agencies including (at a minimum) the juvenile court (and its probation division), CPS, and the regional behavioral health authority (RBHA) responsible for local administration of the state's mental health system. Coordinating efforts among these distinct entities, accessing programs and services, and acquiring adequate resources pose major challenges for the juvenile justice, child welfare, and behavioral health systems.

In addition to the data analysis, the authors conducted on-site interviews in the two counties during the two-day period. Persons interviewed included a number of juvenile court judges, deputy county attorneys (that prosecute delinquency matters), assistant attorneys general (that prosecute dependency matters), juvenile probation officers, CPS case managers, court appointed attorneys (including those representing children in dependency and/or delinquency matters, some of whom also serves as guardians ad litem or GALs), and service providers involved in the small number of programs specifically intended for dually involved youth. In addition, an interview was conducted with one AOC staff member who is working with the Administration for Children, Youth, and Families (otherwise known as ACYF, the state child welfare division that oversees CPS) and juvenile courts to develop an updated implementation plan for Title IV-E funds.¹⁰

On-site interviews attempted to secure key stakeholder perceptions regarding the number of dually-involved cases, the types of cases (i.e., case characteristics), the pathways through which these cases penetrate the court system, how the court assigns and processes these cases, how case management and supervision occur, how different agencies coordinate their activities, what innovations are in place to address the challenges posed by dually involved youth, and suggestions for improvements. Summaries of the key themes obtained from on site interviews appear immediately after the data analysis section of this report.

This period was the most current for which an extract could be provided.

Title IV-E of the Social Security Act was established to provide financial assistance to states to meet the needs of certain children placed in foster care whose families were unable or unwilling to provide appropriate care. Eligible children must meet certain criteria to receive IV-E funds. Over the past two decades, several states have utilized IV-E monies for foster care placements of youth involved in the juvenile justice system. The AOC has explored the possibility of utilizing IV-E funding as a revenue source for services for delinquent youth before but determined the administrative requirements outweighed potential benefits. More recently, the AOC decided to revisit this issue and is working with ACYF and the courts to determine feasibility and potential benefits. For

General Impression

This TA consult confirmed that Arizona faces a wide range of challenges posed by dually involved youth and that current efforts to effectively manage these cases, with a few notable exceptions, lack coordination and comprehensive planning. The preliminary data analysis clearly shows there are a substantial number of dually involved cases in Maricopa and Pima counties, and that dependency cases that contain delinquency histories take a variety of pathways to penetrate the court system.

Data analysis: Frequency of dually involved youth

Perhaps the most interesting aspect of the data obtained from the two counties is the fact that so many (age-eligible) dependency cases¹¹ have prior delinquency involvement. This finding may, to some extent, reflect some unique aspects of Arizona's system, but also poses important policy and resource ramifications for the state. These are discussed in more detail in the summary of on-site interviews and concluding remarks.

NCJJ was able to identify a total of 874 age-eligible children with dependency petitions filed during the January 1 through October 5, 2001 period, and the following tables and charts focus on youth who had dependency petitions filed during this time frame.¹² These 874 age eligible children represent 45% of the 1,921 children with dependency petitions filed between January 1, 2001 and October 5, 2001 in Maricopa and Pima counties.¹³

more information see *Title IV-E Implementation Plan for the Administrative Office of the Courts*. Prepared by the AOC, Juvenile Justice Services Division, April 2001.

Unless otherwise indicated, the term "case" refers to a child.

¹² All charts and tables run for the preliminary analysis appear in Appendix A. NCJJ was not able to conduct a meaningful analysis on the number of delinquent youth with prior dependency activity because the JOLTS dependency modules in the two counties were implemented fairly recently. Future analysis should revisit this issue and determine if adequate historical dependency data are available.

¹³ Age-eligible children (that is, children 8 and over) represent 49% of Maricopa County's new dependency caseload (560 of 1,141) and 40% of Pima County's new dependency caseload (314 of 780) during the first nine-plus months of 2001.

100% (314)

100% (874)

The first table shows the number and percentage of children with prior delinquency or status offense referrals by county.

Table 1 Number and Percentage of Dependent Children with Prior Delinquency or Status Offense Referrals by County				
Children 8 and Over	Maricopa	Pima	Total	
With no Delinquency or Status Priors With Delinquency or Status Prior	50% (278) 50% (282)	60% (187) 40% (127)	53% (465) 47% (409)	

As shown above, Maricopa County data indicate that roughly half (282) of the 560 age-eligible children with dependency petitions filed during the time period had prior delinquency or status referrals. In Pima County, 40% (127) of the 314 age-eligible children with dependency petitions exhibited prior delinquency or status referrals. In other words, almost half (47%) of the age-eligible dependency cases in the two counties exhibited prior delinquency or status offense referrals.

100% (560)

The second table displays the number of children with prior delinquency or status offense referrals and the sources of dependency petition filing for those cases.

Overall Totals

Table 2 Children with Prior Delinquency or Status Offense Referrals by Source/County					
Source of Dependency Petition	Maricopa	Pima	Total		
AG/DES	27% (76)	75% (95)	42% (171)		
DES Substitute for Private Filer	4% (10)	16% (20)	7% (30)		
Private/Court-Appointed Counsel	67% (189)	8% (10)	49% (199)		
Pro Per	2% (6)	2% (2)	2% (8)		
Other	0% (1)	0% (0)	0% (1)		
Overall Totals	100% (282)	100% (127)	100% (409)		

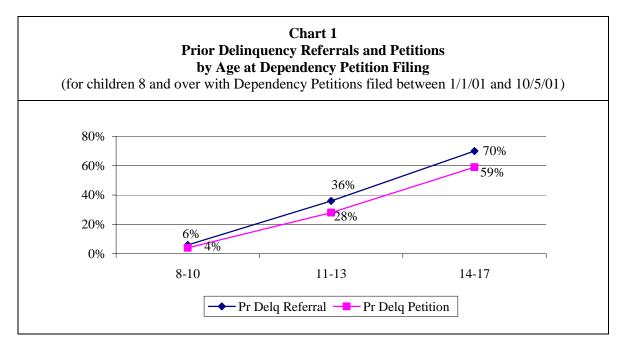
As shown above, Maricopa County data indicate that over two-thirds of the children (67% or 189 youth) with prior delinquency or status offense referrals had dependency petitions filed by private/court-appointed counsel (usually GALs). In contrast, in Pima County, just under 8% (10 youth) with prior delinquency or status offense referrals had dependency petitions filed by private/court appointed counsel. Overall, children with dependency petitions filed by private/court appointed counsel represented almost half (49% or 199 children) of the cases with prior delinquency or status offense referrals.

The analysis also revealed a higher than expected frequency of prior delinquency and status offense referrals among dependency cases filed by the Attorney General's (AG) Office. As indicated in Table 2, in Maricopa County, over one-fourth (27% or 76 children) of the cases with prior delinquency or status offense referrals involved dependency petitions filed by the AG. In Pima County, however, three-fourths (75% or 95 children) of the cases with prior delinquency or status offense referrals involved dependency petitions filed by the AG. Overall, AG-filed dependency cases represented 42% (171 cases) of dependent children with prior delinquency or status offense referrals. This finding suggests there may be very different processes occurring in the two counties that warrant careful analysis.

It also suggests that the gap between the number of dually involved cases with dependency petitions filed by attorney GALs and those filed by assistant AG's may not be as wide as some stakeholders perceive. That is, the perception that the large number of dually involved youth are primarily the result of dependency petition filed attorney/GALs appointed by the juvenile court on selected delinquency cases to investigate possible issues of maltreatment or neglect. In reality, the data suggest that the number of dependency petitions filed by the Attorney General's Office or those in which DES substitutes in as the petitioner are comparable to those filed by privately-retained or court-appointed counsel (including attorney/GALS).

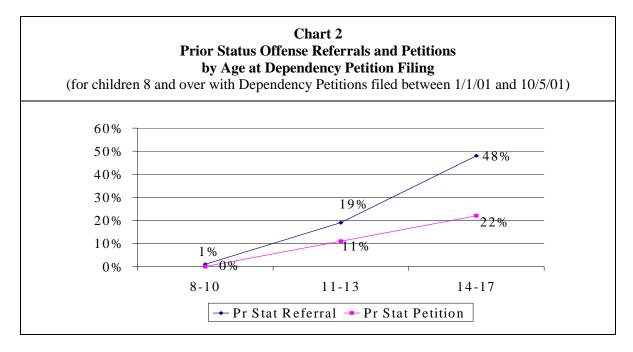
NCJJ also examined age breakdowns for dually involved youth. The first chart displays the percentage of dependent youth with prior delinquency referrals and delinquency petitions by age at dependent petition filing.

¹⁴ It is important to note that the JOLTS coding schemes for dependency filing source varied somewhat across the two counties. Subsequent analysis should examine the consistency and reliability of current coding practices.



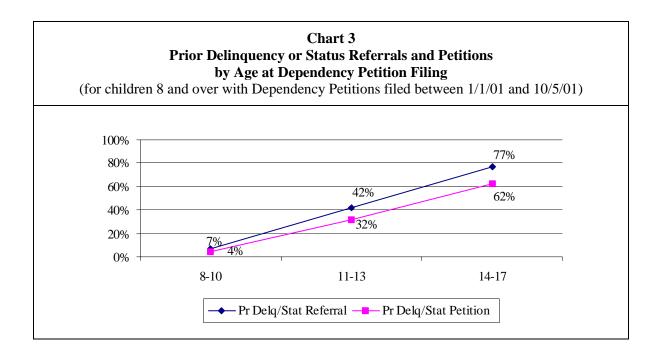
As shown above, the data analysis uncovered very few cases with delinquency involvement in the age 8 through 10 grouping. Only 6% of youth with dependency petitions in this age bracket displayed prior delinquency referrals and only 4% experienced delinquency petitions. In the 11 through 13 age group, 36% of youth with dependency petitions exhibited delinquency referrals and 28% were the subjects of prior delinquency petitions. Not surprisingly, the highest rates of prior delinquency involvement appeared in the oldest age bracket. For youth age 14 through 17, 70% had prior delinquency referrals and 59% had prior delinquency petitions.

The second chart displays percentages of prior status offense involvement by age.



As shown, very few 8 to 10 year olds named on dependency petitions were also the subject of prior status offense referrals or petitions. The 11-13 year old group exhibited higher rates of status offense referral (19%) and petition (11%) histories. Youth in the 14-17 year old bracket displayed the highest rate of prior status offense referrals (48%) and petitions (22%). It is interesting that prior delinquency referral and petition rates are higher than prior status offense referral and petition rates in each of the three age groupings (again, the limited scope of the TA consult prevented thorough analysis of this issue).

Chart 3 combines the prior referral and petition data displayed in the first two charts, and simply illustrates the relatively high proportion of dependency cases with some form of prior delinquency and/or status offending histories.



The next series of charts attempt to capture the frequency of prior delinquency and status offense activity by age grouping and the sources of the dependency petitions.

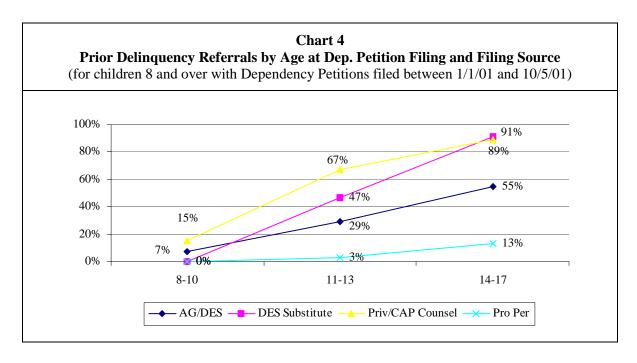
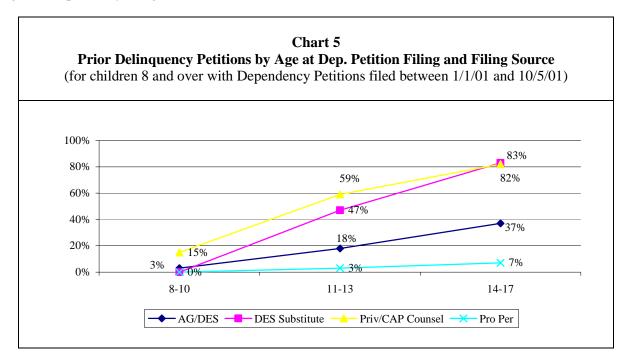


Chart 4 above shows that dependency cases involving CPS substituting for a private filer¹⁵ and private/court appointed counsel had the highest frequencies of prior delinquency referrals. In the 14 through 17-year old age bracket, 91% of DES substitution cases involved children with prior delinquency referrals while 89% of private/court appointed counsel cases had referral histories. These data are certainly consistent with the perceptions of at least some key stakeholders that the vast majority of private filings and cases in which DES substitutes for a private filing party are most likely to involve youth with prior delinquency backgrounds.

However, this only explains part of the picture. That is, 55% of AG-initiated dependency case filings on older youth (ages 14-17) involved juveniles with prior delinquency referrals and more than a quarter (29%) of new dependency cases on juveniles between the age of 11 and 13 at petition filing also had prior delinquency referrals.

The same pattern holds true in Chart 5 displaying the percentage of prior delinquency petitions by age and dependency filing source.¹⁶



Charts depicting the percentages of dependent children with status offense histories by age grouping and dependency filing source appear in Appendix A, along with other charts.

¹⁵ The Department of Economic Security (DES) is the state agency responsible for ACYF and CPS. In Arizona, CPS may substitute in as a party on a petition that was originally filed by a private party.

In sum, the preliminary data reveal that youth in the older age bracket (age 14-17) exhibit the highest frequency of dual involvement. However, the numbers identified in the 11-13 year old group are also substantial. This is an important finding because the early onset of delinquent behavior among this younger group may foretell a variety of higher risk factors and serious future problem behaviors.

Summary of on-site interviews

The comments expressed by key stakeholders indicate they are quite aware of the challenges entailed with dually involved cases. Interviews in Maricopa and Pima counties¹⁷ revealed a number of consistent themes surrounding dually involved youth and some unique challenges faced by each county.

The first interview summary is presented in a table format and describes stakeholder perceptions of the typical case characteristics present in dually involved cases. Overall, the perceptions are fairly similar across the two counties, though some challenges unique to each county emerged.

¹⁷ Again, the number of stakeholders interviewed in the two counties was limited due to time constraints.

Table 3 Typical case characteristics of dually involved youth						
	Perceptions of key stakeholders in Maricopa County	Perceptions of key stakeholders in Pima County	NCJJ Comments			
Age	Estimate 50% of cases age eight and over (higher in older age groups)	40 to 50% of cases age eight and over (higher in older age groups).				
Gender	More males than females.	Even gender split (50/50 male/female)				
Detention	Many detained, including some status offenders.	Females often end up in detention, including pregnant teens.	Maricopa County is attempting to develop additional alternatives to detention for status offenders.			
Presenting family problems	Parents tend to exhibit chronic substance abuse, domestic violence, histories of incarceration, and in many cases at least one parent is unknown. Many have prior CPS histories	Chaotic families, many with chronic substance abuse, domestic violence, and histories of incarceration. These juveniles appear to be "singled out kids" in multi-sibling groups. Many of these families were previously referred to Family Builders but refused to participate. Many have prior CPS histories.	These family problem areas are very consistent with those identified in the most recent Arizona CIP study. However, the CIP analysis was unable to obtain data regarding prior involvement in the state's Family Builder's program.			
Typical Dependency allegations	Parents unable or unwilling to care for child.	Parents unable or unwilling to care for child.				

The next interview summary, presented in table format, covers stakeholder perceptions of the pathways these cases take to enter the court system. As indicated earlier, most stakeholders underestimated the proportion of AG-filed dependency cases with prior delinquency involvement.

Table 4 Case pathways: How dually involved cases penetrate the court system					
	Perceptions of key stakeholders in Maricopa County	Perceptions of key stakeholders in Pima County	NCJJ comments		
What comes first – the dependency or delinquency filing?	Vast majority of cases entered the court system as <i>delinquency</i> cases first.	Majority of cases entered system as <i>dependency</i> cases first.	This is consistent with frequencies presented earlier in the data analysis section.		
Frequency of GAL dependency filings (post delinquency)	Vast majority filed by GAL, usually post-disposition.	Very few involve GAL filings, though number is increasing.	This is consistent with the data analysis.		
Frequency of AG dependency filings (post delinquency)	Very small percentage unless agency investigates after GAL filing and becomes partner to the action.	Very small percentage.	The data analysis revealed a higher frequency of AG dependency filings than anticipated.		
Frequency of relative/pro per filing	A relatively small percentage of cases.	A relatively small percentage of cases, though youth are often in the relative's home at the time of these filings.	This is consistent with the data analysis.		

Table 5 presents a summary of case assignment, case processing, and calendaring issues described in the two counties. As shown, there are many similarities in the two counties, particularly their strong commitments to one judge/one family case handling. The primary difference between the two courts involves the assignment of attorney/GALs. In Maricopa County, this task resides with the county's Office of Court Appointed Counsel (OCAC). In Pima County, the juvenile court is directly responsible for assignments.

¹⁸ A state-funded program designed to safely divert lower risk child abuse cases from the child welfare and court systems.

Table 5 Case assignment, case processing , and calendaring					
	Perceptions of key stakeholders in Maricopa County	Perceptions of key stakeholders in Pima County	NCJJ comments		
Judicial assignment	One Judge/One Family	One Judge/One Family	Both courts have made strong commitments to having the same judge handle delinquency and dependency matters for the same child/family.		
Probation officer assignment	Assigned to geographic regions except for Treatment Services Unit & ICMP (described below).	Assigned to geographic regions except Project MATCH (described below).	Cross-training opportunities for key stakeholders involved in these cases are extremely limited. There are no special qualifications or requirements for staff involved in these cases.		
CPS case manager assignment	Assigned to geographic regions except DAY unit (see innovations below).	Assigned to geographic regions except Project MATCH (see innovations below).			
County Attorney, Attorney General, & Public Defender assignments	No special assignments for dually involved cases.	No special assignments for dually involved cases.			
Court appointed attorney assignments including GALs	The county's Office of Court Appointed Counsel (OCAC) selects attorneys to serve as GALs. ¹⁹	The juvenile court has contracts with attorneys and has full discretion to assign GALs.			
Calendaring	No special docket for dually involved cases. Judicial discretion to consolidate hearings. Confidentiality concerns in dependency matters inhibit consolidation.	No special docket for dually involved cases. Judicial discretion to consolidate hearings.	Some judges consolidate hearings whenever possible, usually post-disposition hearings. Others try to schedule hearings back to back.		
Intake screening & use of JOLTS to confirm dual involvement	JOLTS automatically indicates whether case is already court involved in delq. or dependency matters.	Dependency unit checks JOLTS to see if dependency case also has delinquency court involvement.	Delq. and dependency intake processes should include acquiring prior CPS histories, if not already done.		

In some cases, the OCAC may oblige the juvenile court's request to reassign a GAL who was previously involved in a case, but in most instances, OCAC has full discretion over who to appoint.

The next two segments of the interview summaries are presented in narrative format.

Coordination of case management and case supervision of dually involved cases

Other than the specialized units described below, there are no procedures for coordinating case management and case supervision between juvenile probation officers and CPS case managers in either county. Specifically, there are no protocols for probation or CPS staff to follow in terms of notifying each other of their joint involvement in a case. In Maricopa County, however, CPS units and AG offices have JOLTS terminals that can provide notification of relevant court activity and distribution of court reports (including probation reports). According to interviews, at least some of these units actively use JOLTS to keep abreast of probation activities involving dually involved youth. However, interview comments indicated that initial notification of joint involvement in a case often depends on the individual initiative of probation officers and/or case managers.

Similarly, key stakeholders reported little to no coordination of case contacts (e.g., visits to a child's placement or residence, contacts with family members, etc.) between probation and CPS staff. Furthermore, probation and CPS staff do not prepare joint reports and at least some feel preparation of joint reports would not be feasible due to possible conflicts between the overall missions of probation (community protection, compliance with probation conditions) and CPS (best interests of the child, reunification of the family when possible).²¹ Interviews in both counties indicated that in many cases, probation and CPS staff are willing to share information and reports though, again, this may vary among individuals. Last but not least, the frequency of probation officers and CPS case managers attending the same court hearings varies widely.

Another emerging trend that was only briefly touched upon during the onsite interviews involved the unique challenges posed by dually involved youth who are prosecuted in adult (criminal) court and given adult criminal sanctions. In other words, the dual involvement of these cases includes the dependency system and the adult criminal justice system (i.e., adult probation, adult jails, and/or adult corrections), not juvenile probation or juvenile corrections. While the numbers of these cases are

²⁰ This comment is consistent with the 2002 FCRB Report findings (see K. Gottlieb. *One Child Two Systems: Managing and Supervising Dually Adjudicated Youth*, cited earlier).

The latest Arizona CIP study highlighted efforts initiated by the Coconino County Juvenile Court that require probation officers and CPS case managers to prepare joint reports in applicable cases.

considerably smaller than the numbers of dually involved youth connected to the juvenile justice system, their actual frequency may be substantial and probably warrant special efforts to enhance coordination.²²

Innovative programs and services for dually involved youth in Maricopa and Pima counties

NCJJ identified three programs in Maricopa County and one in Pima County that are specifically designed to serve youth involved in multiple systems (including dually involved youth).²³ Brief descriptions of each of these programs appear below (again, the limited time available for this TA consult prevented acquisition of more detailed information).

Maricopa County

The CPS Dually Adjudicated Youth (DAY) Unit

The DAY unit began more than five years ago (persons interviewed were not able to identify the exact start date but the program has been in existence for some time). It was created to address the growing numbers of dually adjudicated youth processed through the Durango facility in southwest Phoenix. The DAY Unit is comprised of three CPS units (two ongoing and one investigations) and serves dually adjudicated youth processed through the Durango juvenile court facility only. It is capable of serving up to 204 youth with an average of 18 to 20 children per worker. The unit only houses CPS staff, there are no probation or behavioral health personnel co-located at the DAY office. However, DAY unit personnel indicated they do meet with Treatment Services Unit probation officers on at least a quarterly basis, and reported regular phone contact with these officers as well. Despite this regular contact, interviews indicated a strong desire to have probation, CPS, and behavioral health professionals co-located in some manner in order to enhance joint case planning, coordinate case management, improve access to services, and increase information-sharing.

The challenges surrounding youth prosecuted as adults in Arizona prompted a statewide planning effort sponsored by the AOC and the Superior Court in Maricopa County (see F. Mullaney. *The Summit on Juvenile Transfers*. Administrative Office of the Courts. September 2001). This planning effort is ongoing.

²³ The Children's Resource Staffing (CRS) process, while not specifically designed for youth involved in multiple systems or dually involved youth, represents a multi-agency collaborative effort that may have positive effects on dually involved cases. Unfortunately, the limited scope of this TA consult prevented NCJJ from verifying the extent of participation of dually involved youth in the CRS process.

²⁴ In addition to DAY unit staff, the CPS Young Adult Program (YAP) shares the same office space. The YAP is an independent living program for older teens and many of the youth in the DAY unit are also in YAP due to permanent plans calling for independent living.

DAY unit caseworkers are assigned to entire families (i.e., all siblings in a family group found dependent). This can present formidable workload challenges. In large family groups, a DAY unit worker may be responsible for managing a wide range of case plans. For example, for the oldest sibling, the case plan might be independent living. For the youngest child, the case plan might be severance and adoption. The DAY unit worker is responsible for handling all aspects of these different case plans.

DAY unit personnel estimate that 70 percent of their caseload involves male children and 30 percent females. Ages vary across caseloads but interview participants shared the perception that their cases seemed to be getting younger, with a discernable age gap; specifically, a substantial number of cases in the 12-14 year old age range and another group in the 17 to 18 year old range. DAY unit workers also stated that the vast majority of their cases meet the muster for dependency. Workers added that these cases (families) almost always present a variety of serious problems (including mental illness, academic deficiencies, substance abuse, and other concerns). In most of the cases referred to the DAY unit, the youth's probation officer is the reporting source for the dependency matter.

Interviews also revealed a variety of key challenges faced by DAY unit case managers. These include being called upon to provide transportation for juveniles including those with serious mental health problems. A number of key stakeholders indicated that because CPS is considered the "legal guardian" in these cases, CPS staff are obligated to perform this task. As a result, DAY unit workers feel they are placed at unreasonable risk on at least some occasions due to the volatility of some of these cases. Another challenge involves youth who have been transferred to adult court for criminal acts. DAY unit staff report difficult challenges finding adequate placements and services for these youth, not to mention safety considerations.

DAY unit workers report they attend almost all court hearings, both dependency and delinquency. They added that probation officers rarely attend dependency hearings. Probation officers and DAY unit staff do not prepare joint court reports though interviewees indicated frequent phone consults with the two probation officers in the Treatment Services Unit. The DAY unit does have a JOLTS terminal and staff use JOLTS to obtain JPO and other relevant court reports. There are no special qualifications or requirements for DAY unit staff (current staff volunteered to work in the unit) and they are not paid higher salaries. Again, the DAY unit only serves youth processed through Durango and at least some stakeholders indicated support for expanding DAY unit resources to enable coverage of SEF cases.

The Maricopa County Juvenile Court's Treatment Services Unit (TSU)

The Treatment Services Unit (TSU) started a little over two years ago as an attempt to provide special case management for dually adjudicated youth. There are two full time probation officers assigned to the unit. These officers are considered "virtual probation officers" in that they do not have offices – they work out of their cars, in effect, allowing them to maximize time spent in the field conducting contacts and monitoring compliance with probation conditions. In contrast to the CPS DAY unit, TSU officers are assigned cases from both the Durango and Southeast (SEF) court facilities. Most of their cases began as delinquency matters and "became" private dependency filings (almost always through GAL filings, according to interview comments).

As noted in the DAY unit interviews, TSU officers meet on a quarterly or more frequent basis with DAY unit workers. This regular contact has convinced the officers of the benefits of ongoing communication and coordination. As a result, TSU staff report ongoing efforts to encourage standard probation officers to increase their interactions with CPS staff. TSU caseloads are supposed to be capped at 25 per officer but have reached 30 on occasion. TSU probation officers are assigned multiple siblings when these children are on probation. TSU staff indicated they do not supervise sex offenders (the juvenile court has specially trained probation staff for this purpose) and their caseloads typically present family histories of domestic violence. Youth supervised by TSU frequently exhibit property crime backgrounds (e.g., criminal damage) though few are involved in violent crimes. However, like their DAY unit counterparts, TSU staff also report that many youth have serious mental health issues and problems managing their anger.

The Interagency Case Management Project (ICMP)

The ICMP is the oldest of the innovations described in this section of the report. It originated in the early 1980s only to be disbanded for a period of time, then restarted some years later. ICMP was developed to allow agencies to pool resources to enhance services and outcomes for youth involved with multiple systems. Many ICMP cases are dually involved though the project has limited capacity.

The Maricopa County Juvenile Court has assigned three probation officers to ICMP, to go along with two CPS case managers, one state Division of Developmental Disabilities (DDD) case manager, two

ValueOptions case managers (the RBHA), one juvenile parole officer from the Arizona Department of Juvenile Corrections, and four case aides. Each ICMP assignee's caseload is limited to a maximum of 15 children. As with the DAY unit, cases include multiple sibling groups.²⁶

To be eligible for ICMP, a child must be involved with at least two of the above listed agencies. Staff assigned to ICMP take a team-oriented approach to caseload management. In other words, while a particular child or sibling group may be assigned to one person, that person works with other ICMP staff to coordinate case plans, services, and perhaps most importantly, navigate through different systems to deliver appropriate services. In addition to being involve with at least two agencies, ICMP cases often involve youth with serious mental health problems and/or developmental disabilities.

Perhaps the most notable aspect of ICMP is its reported effectiveness in streamlining access to the children's behavioral health system. The co-location of RBHA staff at the ICMP office is one reason for this benefit. Another involves the assignment of a psychologist to ICMP who visits the office three times per week, performs psychological evaluations on site, and thus has frequent opportunities to interact with project staff. The pooling of funds by participating agencies and the removal of barriers to promptly access services represent two other important examples of ICMP's perceived effectiveness. These have allowed ICMP to avoid the finger-pointing, turf battles, and associated frustrations surrounding payment for treatment in dually involved cases.

Ironically, just prior to the preparation of this report, the author received word that ICMP may be restructured in the near future. The fact that NCJJ has identified a large group of dually involved cases and that the CIP study confirmed that many of these cases have severe problems suggest that any restructuring should enhance interagency collaboration and timely access to services. Preliminary reports indicate ICMP may be combined with another collaborative effort (dubbed the "300 Kids Project")²⁷ that is attempting to improve access to children's mental health services.

As a result, not all TSU cases are involved with the CPS DAY unit. Because TSU and DAY unit personnel report positive collaboration it may behoove the court and CPS to examine options for enabling all TSU cases to also be served by the DAY unit.

²⁶ The state Foster Care Review Board has a specially assigned board for ICMP cases.

²⁷ The "300 Kids Project" resulted from a settlement in a class-action lawsuit and is intended to remove barriers to accessing children's behavioral health services.

Pima County²⁸

Project MATCH

Project MATCH is the only formal program in Pima County specifically designed to serve youth in multiple systems. Like ICMP, it is designed to serve youth involved with at least two agencies. Agencies participating in Project MATCH (and providing staff for case management purposes) have included²⁹ CPS, DDD, juvenile probation, juvenile parole, and the RBHA (Community Partnership of Southern Arizona, through a number of its providers).

The Pima County Juvenile Court has one probation officer assigned to the project and she, like other staff assigned, handle caseloads capped at 15 children. To be accepted in Project MATCH, youth must have a mental health diagnosis, must have family members willing to participate in treatment, and must not be facing extended stays in residential treatment. Moreover, youth with case plans or permanent plans of independent living are not eligible nor are youth in correctional facilities.

Interviews indicated that youth placed in the project often display very serious mental health disorders. Like ICMP, staff working in Project MATCH supervise entire sibling groups, where applicable. However, ICMP does not exclude youth in residential placements or youth with independent living case plans from participating in the program.

Ironically, just before assembling this report, the author was advised that Project MATCH is undergoing reorganization. This may result in staff being moved from a co-located facility to separate offices.

While the above programs represent important innovations that may have positive effects on dually involved cases, it is important to note that each program has very limited capacity and can only serve a very small percentage of these youth. Key stakeholders recognize that the current fragmented structure of the juvenile justice, child welfare, and behavioral health systems contributes to haphazard contact between key persons responsible for managing dually involved cases and inconsistent sharing of

²⁸ In addition to Project MATCH, the Pima County Juvenile Court has one probation officer specially assigned to handle all probation cases in out of home placements. Many of these cases are dually involved and, thus, this probation officer frequently works with CPS staff to coordinate case planning and services.

At the time of the on site interviews, some of the agencies may not have had staff assigned to Project MATCH due to vacancies or other factors.

information. Co-location of staff from multiple agencies represents an important strength of the ICMP and Project MATCH programs and should be sustained through pending restructuring.

Site Visit Recommendations

The following recommendations reflect comments and suggestions raised by key stakeholders in the two counties. Where appropriate, the author provided supplementary input.

Recommendation #1: The AOC and the juvenile courts should establish a state-level steering committee and county level working committees that include the Office of the Attorney General, CPS, the RBHAs, county prosecutors, and other relevant participants, to develop comprehensive plans and strategies for serving and supervising dually involved youth.

Arizona has a large group of young people at significantly higher risk of serious problems (including chronic offending, violence, academic failure, substance abuse, teen parenthood, etc.). This suggests the need for a well-planned, coordinated response to dually involved youth versus the piece-meal approaches currently in place. The nature of the problems posed by dually involved juveniles and the risks they present justify the need for the courts, the agency, mental health professionals, and others to pay special attention to these difficult cases.

Recommendation #2: The AOC should identify appropriate resources for conducting a more comprehensive analysis of issues surrounding dually involved youth.

This could involve a series of phases starting with a thorough national search for innovative programs and services in other jurisdictions designed to serve dually involved youth. Subsequently, the analysis could include a more in depth examination of the differences between dependency cases that enter the system as private filings versus AG filings, differences in filing practices in Maricopa and Pima counties, an analysis of cases that evolve from dependency to delinquency matters over time, and a closer look at cases that are ultimately prosecuted in the adult criminal justice system. The primary purpose for comprehensive study should be to help the agency and the courts develop appropriate interventions and programs for these difficult cases, interventions and programs that would eventually be thoroughly evaluated. However, any study of cases that first come to the court's attention as dependency matters will require sufficient time periods for follow up analysis.

Recommendation #3: The AOC, the juvenile courts, CPS, and the RBHAs should work together to establish suitable pilot projects specifically designed to serve dually involved youth. These pilot efforts could begin incrementally along the lines of the initial Pima County Model Court pilot project. The pilot programs should be carefully evaluated to determine their ultimate costs and benefits.

The original Pima County Model Court pilot project started in two CPS units. With careful tracking, NCJJ was able to determine the benefits of the Model Court process including but not limited to more timely permanency decisions and reduced placement costs. By starting small, the court was able to demonstrate the effects of model reforms in dependency matters that, eventually, led to landmark system reform. The long-term costs and magnitude of the dually involved issue may, ultimately, be best served by initiating limited scale pilot projects with appropriately designed program evaluations. Even without pilot projects, county workgroups should begin to work on local protocols for handling these cases to enhance communication, consistency, and notification across agencies.

Recommendation #4: The AOC and juvenile courts should make it a top priority to improve automated case tracking of dually involved cases. The AOC and juvenile courts should continue efforts to place JOLTS terminals in CPS and AG units, particularly in Pima County. The courts and CPS should also continue discussions to further enhance information sharing, whether through automation, co-location of staff, and/or other options.

The AOC and the juvenile courts have not established special tracking mechanisms for dually involved cases making it difficult to identify how many cases exist (and related trends), what characteristics they present, and what outcomes they achieve following different interventions. JOLTS is certainly capable of doing this but appropriate resources should be allocated to make the information reliable and readily available. As noted, the NCJJ data analysis uncovered some coding inconsistencies; specifically, the party that filed the dependency petition (making it difficult to discern distinctions in private filings). On the plus side, on site interviews revealed JOLTS terminals placed in CPS units in Maricopa County are frequently used and allow CPS staff to access relevant information and reports. Interviews also indicated that when juvenile probation and CPS staff are co-located or have frequent contacts, they are more likely to conduct joint case planning and coordinate case management, while minimizing many of the so-called turf issues experienced by other probation and CPS staff.

Unfortunately, overall, interagency collaboration seems to be haphazard and limited to isolated units and individual initiative.

Recommendation #5: The juvenile courts and the agency should carefully assess the risk levels of dually involved youth, particularly those being transported by CPS staff.

Again, the limited scope of this consult did not allow for a thorough examination of the risk levels presented by these juveniles, nor related transportation and safety issues. However, the concerns expressed by DAY unit staff, in particular, would seem to warrant careful assessment.

Recommendation #6: Pending efforts to restructure ICMP and Project MATCH should focus on enhancing interagency collaboration including co-location of key staff and pooling of resources.

As noted earlier, ICMP was dismantled in the 1980s or 90s and brought back to address the unique needs of youth involved in multiple systems, including many dually involved youth. On-site interviews seemed to reflect strong support for the project and a general perception of its effectiveness. The author has been informed that the decision to restructure ICMP and link it with the new "300 Kids Project" may improve access to children's behavioral health services. This would be a positive development. In Pima County, Project MATCH may be facing reorganization that may, at least temporarily, prevent co-location of project staff. As discussed, co-location seems to breed stronger coordination among the juvenile court, CPS, and RBHA. The court and the agency should carefully monitor the effects of both restructuring efforts. Coincidentally, the courts, CPS, and RBHAs should continue to pursue creative steps to maximize opportunities for staff from multiple agencies (whether they work in special programs or not) to work together with dually involved cases.

Concluding Remarks

This TA consult confirmed that the two most populous counties in Arizona possess substantial numbers of youth involved in both the dependency and delinquency systems. The pathways taken by these cases to become dually involved most often involve filings by private/court appointed counsel. However, a substantial number of dependency cases that were filed as dependencies by the Office of the Attorney General also displayed delinquency histories. This finding was a bit surprising and suggests that challenges surrounding these cases are quite complex and deserve more comprehensive analysis.

The challenges presented by these children, and the suggestions noted by key stakeholders to address these challenges, confirm the need for Arizona authorities to continue to search for innovative options that will prevent these cases from becoming chronic and/or serious offenders. To do so, the juvenile court, CPS, the behavioral health system, and others will have to pursue new collaborative approaches. Some of these may be incremental and relatively cost-free (e.g., enabling probation officers

and case managers to spend more time meeting and working together, and removing barriers to consistent sharing of pertinent information). Others may require allocation of additional resources, which may be unlikely given the current state fiscal scenario. Regardless of Arizona's current budget quandary, the risks faced and posed by these youth are indeed serious and require effective action.

Appendix A Selected Data Tables and Charts

The Appendix contains tables and charts produced during the data analysis. The last three charts contain Maricopa County data only and are limited to cases with dependency petitions filed by court-appointed counsel. The remaining charts contain data from both counties.

Table 1
Age at Filing of Dependency Petition by County
(Dependency petitions filed between 1/1/01 and 10/5/01)

Age at Dependency Petition Filing	Maricopa	Pima	Total
0 – 1	20% (229)	28% (215)	23% (444)
2 – 4	18% (205)	18% (139)	18% (344)
5 – 7	13% (147)	14% (112)	14% (259)
8 – 10	13% (144)	14% (108)	13% (252)
11 – 13	13% (151)	13% (99)	13% (250)
14 – 17	23% (265)	14% (107)	19% (372)
Overall Totals	100% (1141)	100% (780)	100% (1921)

Table 2
Allegations Contained on Dependency Petition by Referral Source
(for all children 8 and over with Dependency petitions filed between 1/1/01 and 10/5/01)

Allegation Type	AG/DES	DES- Substitute	Private/CAP Counsel	Pro Per	Totals
Physical Abuse	17%	17%	9%	6%	14%
Sexual Abuse	6%	0%	3%	0%	4%
Emotional Abuse	3%	2%	1%	1%	3%
Neglect	68%	73%	56%	88%	67%
Failure to Protect	45%	64%	80%	33%	55%
Abandonment	53%	44%	27%	27%	42%
Dependent	54%	52%	71%	71%	60%

^{*} Percentages add up to more than 100% because dependency petitions often contain multiple allegations.

Table 3
Most Serious Allegation Contained on Dependency Petition by Referral Source (for all children 8 and over with Dependency petitions filed between 1/1/01 and 10/5/01)

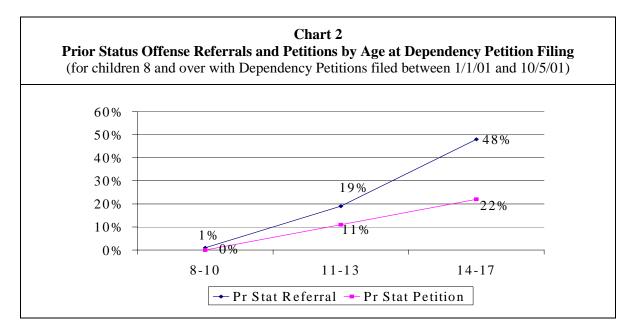
Allegation Type	AG/DES	DES- Substitute	Private/CAP Counsel	Pro Per	Totals
Abuse (all types)	23%	17%	12%	8%	18%
Neglect (includes Failure to Protect)	59%	65%	54%	82%	61%
Dependent (includes abandonment)	16%	15%	33%	9%	20%
No Allegations entered in JOLTS	2%	2%	2%	1%	2%

^{*} Analysis assumes that allegations of abuse are more serious than allegations of neglect and that neglect allegations (including allegations of failure to protect) are more serious that allegations that a child is dependent (includes allegations of abandonment).

Chart 1
Prior Delinquency Referrals and Petitions by Age at Dependency Petition Filing
(for children 8 and over with Dependency Petitions filed between 1/1/01 and 10/5/01)

80%
60%
40%
20%
8-10
11-13
14-17

Pr Delq Referral — Pr Delq Petition



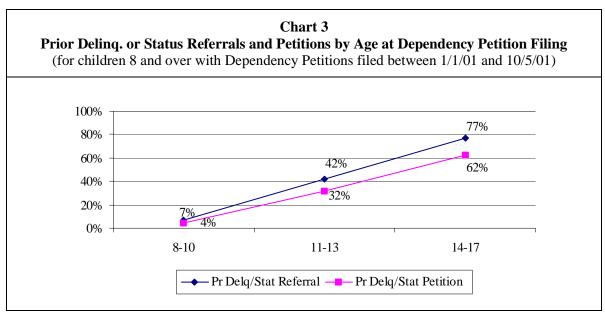


Chart 4 Prior Delinquency Referrals by Age at Dep. Petition Filing and Referral Source (for children 8 and over with Dependency Petitions filed between 1/1/01 and 10/5/01) 100% 91% 80% 67% 60% **♦** 55% 47% 40% 15% 29% 20% × 13% 7% 0% 0% 8-10 11-13 14-17 — DES Substitute Priv/CAP Counsel Pro Per

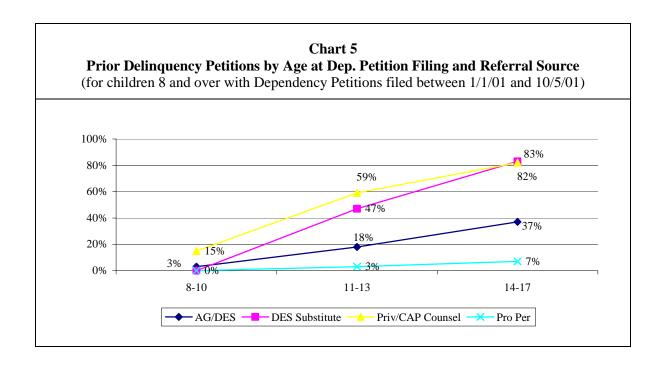


Chart 6
Prior Status Offense Referrals by Age at Dependency. Petition Filing and Referral Source (for children 8 and over with Dependency Petitions filed between 1/1/01 and 10/5/01)

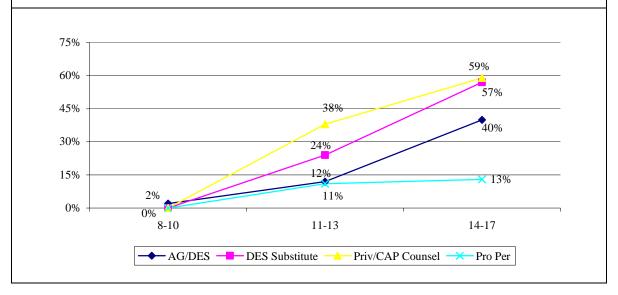


Chart 7
Prior Status Offense Petitions by Age at Dependency. Petition Filing and Referral Source (for children 8 and over with Dependency Petitions filed between 1/1/01 and 10/5/01)

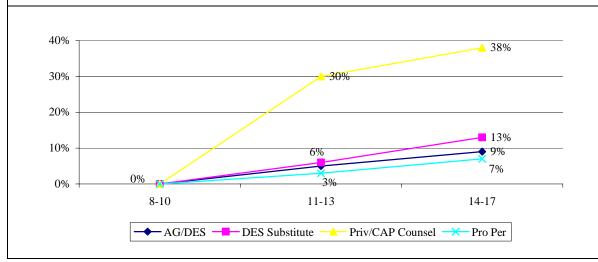


Chart 8 Prior Delinq. or Status Referrals by Age at Dep. Petition Filing and Referral Source (for children 8 and over with Dependency Petitions filed between 1/1/01 and 10/5/01) 93% 100% 91% 80% 70% 60% 53% 40% 36% < 27% 20% 15% <11% 8% 0% 8-10 11-13 14-17

Priv/CAP Counsel

Pro Per

── DES Substitute

- AG/DES

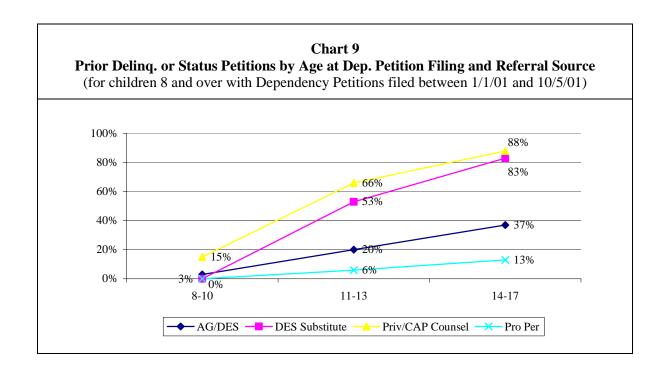


Chart 10
Prior Delinquency Referrals and Petitions by Age at Dependency Petition Filing
Court-Appointed Counsel Referrals Only (Maricopa County)

(for children 8 and over with Dependency Petitions filed between 1/1/01 and 10/5/01)

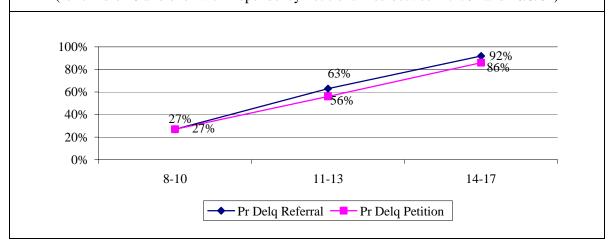


Chart 11
Prior Status Offense Referrals and Petitions by Age at Dependency Petition Filing
Court-Appointed Counsel Referrals Only (Maricopa County)

(for children 8 and over with Dependency Petitions filed between 1/1/01 and 10/5/01)

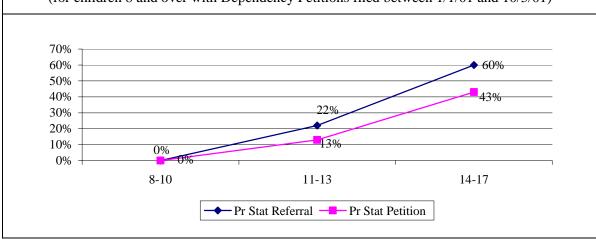


Chart 12
Prior Delinq. or Status Referrals and Petitions by Age at Dependency Petition Filing
Court-Appointed Counsel Referrals Only (Maricopa County)

(for children 8 and over with Dependency Petitions filed between 1/1/01 and 10/5/01)

