

Committee on Juvenile Courts

Committee Minutes

Meeting Date: August 24, 2017

The meeting was called to order by
Judge Quigley at 10:01 am

Minutes taken by: Kathy Gillmore

Roll Call

Present: Hon. C. Allan Perkins, Bryon Matsuda (telephone), Hon. Bryon Chambers, Hon. Cory Sanders (telephone), Hon. Monica Stauffer (telephone), Tyson Ross (proxy-telephone), Hon. Colleen McNally, Eric Meaux, Hon. Robert Higgins (telephone), Hon. Kathleen Quigley (chair), Tina Mattison (proxy), Hon. Daniel Washburn, Hon. Kimberly Corsaro, Hon. Anna Young, Denise Smith, Hon. Mark Reeves, Connie Koch, Ernest Rose, Sheila Tickle

Excused/Absent: Judge Karl Elledge, Judge Rick Williams

Guests/Staff Present: Joe Kelroy, Caroline Lutt-Owens, Diana Hegyi, Jeff Hood, Liz Lorenz, Amy Love, Lauren Lowe, Steve Selover, Thera Wolven, Dr. Sara Salek, Janet Cornell, Beth Broeker, Jim Simpson, Teasie Colla, John Raeder, Jayne Pendergast, Susan Hallett, David Withey, Nina Preston

Introductions were made around the room.

- Special guests Judge Maurice Portley (Casey Foundation) and the Massachusetts's delegation site visit: Chief Justice Amy Nechem, the Hon. Carol Shaw, Mr. Jim Morton and Mr. Dan Despard.

Adoption of Minutes:

Motion: To accept and adopt minutes from the April 20, 2017 meeting.

Moved by: Approved: Judge Young; **Seconded by:** Judge Washburn

Action: Motion passed unanimously.

Topic: Maricopa County Juvenile Court Mapping Tool (Information only; Handouts)

Speaker: Judge Colleen McNally, Thera Wolven

Summary of Discussion:

- The interactive flow chart was introduced by Judge McNally and demonstrated by Thera Wolven.
- This project will be shared statewide and will be housed on the AOC website.

- The flowchart is designed to show how the Arizona laws and the Rules of the Court impact our process through the dependency case management plan.
 - The tool is targeted for legal experts and is a complicated system. It is expected that people who have a case would look the case up. The “simpler”, more accessible version has not yet been developed, but the hope is that the glossary can make it easier to use in the meantime.
 - Each of the stages of the process are referencing the legal statutes. It goes through the termination of parental rights and includes Title A guardianships and appeal processes.
 - The back of the mapping tool contains references and resources, including ICWA. This links the user to other learning modules.
 - Suggestion from the committee: to include the safety model in the future.
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Topic: Maricopa County Juvenile Court Dependency Case Management Plan (Information only; Handouts)

Speaker: Judge Colleen McNally , Janet Cornell (National Center of State Courts)

Summary of Discussion:

- The Case Management Plan was introduced by Judge McNally and demonstrated by Janet Cornell. It represents the comprehensive document illustrating the practices expected to be used. The idea was to document and make this clearly available to members of the department, as well as stakeholders outside of the department who utilize the system.
 - The Case Management Plan includes performance measures, both those currently in use and those desired for future use. What makes the management of cases in our courts work are the acts of talking about it: determining what are our practices and our high-level goals and then using data, statistics and metrics to evaluate.
 - We have also prepared an implementation plan for the juvenile department to use, moving forward.
 - The plan notes several key things the department should do to keep case management activities front and center: **1. Leadership and Vision, 2. Policies, Procedures and Practices; 3. Communication and Information; 4. Training; 5. Performance Metrics; 6. Making sure that the department is managing cases according to the plan.**
 - This plan represents a clear documentation of the goals and practices that the Maricopa County juvenile department intends to both aspire to and manage the cases according to. The process included many representatives and several versions. The discussions included the practices, as well as negotiations about best practice.
 - This document will continue to evolve and change.
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Topic: DCS Update

Speaker: Lauren Lowe, DCS General Counsel

Summary of Discussion:

- DCS trends and numbers:
 - Response timeliness continues to be excellent; it is hovering at 90% for all four priorities.

- DCS is hovering at net zero for reports taken in versus reports closed: not accruing any backlog.
 - Inactive cases (not worked for 60 days, but open) are at 253, down from 16,044 when Director McKay came aboard.
 - The wait list for services continues to drop with the implementation of the new parent aid and supervised visitation only contract.
 - Out-of-home population is still dropping, as is the congregate care population.
 - New practice guidelines were placed on the website in July; these will give an eye into the best practices for our case managers.
 - The initial Safe AZ training for all case managers has been completed. The courts were also trained. The next big push will be training from the ongoing side, early next year.
 - There is a new website, designed to increase the resources for the public.
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Topic: ADJC Update

Speaker: Jeff Hood, ADJC Interim Director

Summary of Discussion:

- Thank you for inviting us to meet you in your counties; we have been to 14 thus far.
 - We are still scheduling tours of our facilities; we hope that everyone can come out and visit, as it offers a well-rounded experience.
 - Hopefully everyone is receiving the monthly letters; if you are not receiving them, please contact either Director Hood or Beth Broeker. Feedback has also been received as to the content of the letters.
 - We produce a monthly statistical report on our web page; we now distribute this email monthly.
 - Performance measures have been shared in the context of the Governor's Arizona Management System. We are in the process of updating and expanding those measurements; they will be submitted to the Governor's Office in September and we should be able to share in October. We will be measuring some additional performance metrics.
 - ADJC sent a team to participate in the Georgetown Youth in Custody Certificate Program. The team is now working on submitting their capstone project proposal, looking at the assessment process during the youth's stay. For additional information, please contact Beth Broeker.
 - The ADJC public web page has been updated to make more user friendly.
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Topic: AHCCCS Briefing: Title 19 and Title 21 (Information only)

Speaker: Dr. Sara Salek and Liz Lorenz, AHCCCS Governmental Liaison

Summary of Discussion:

- *AHCCCS Update and Healthcare System Payer Integration Efforts:* PowerPoint presentation
 - Dr. Salek made herself available for a general question and answer session.
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Topic: Update on Information Sharing Guide

Speaker: Steve Selover, Governor's Office of Youth, Faith and Families (GOYFF)

Summary of Discussion: (taken out of order)

- The Arizona Juvenile Justice Commission is the state advisory group mandated under the act that promotes and implements the Juvenile Justice Act. This Commission is currently seeking youth members under the age of 24; if you know of anyone, please send them Steve's way.
 - The new State Information Sharing Guide (*the handout is the 2008 version*) currently under revision will provide updates to the various statutes and rules that regulate the sharing of information for those staff working with children and youth.
 - The process has involved the GOYFF working with various legal staff from AG office, DCS, the AOC, DoE and AHCCCS. That information has been added incrementally to the document, which is still under revision at this time. The document is being supported by the Juvenile Justice Commission and the task force for Crossover Youth and Data Information Sharing, which Judge Blakey oversees and is providing recommendations to the Supreme Court.
 - The date of completion should be within the next couple of months. It will be easily accessible for the people that need to use it.
 - The entire document includes not only the matrix, but also various instructions on how to use the matrix, as well as additional information.
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Topic: Legislative Update

- ADJC ad hoc Committee (Information only)
- Legislation

Speaker: Amy Love, AOC Deputy Director of Legislative Affairs

Summary of Discussion:

- Legislation: no updates.
 - DCS- court ordered removals has a delayed effective date of July 2018. It is possible that in the coming session some changes may be made.
 - Ad hoc committee will be chaired by Rep. Heather Carter and a co-chair to be named to look at the future of the Adobe Mountain facility. The courts have one seat on the committee. At this point, there is no set meeting scheduled.
 - An analyst at JLBC has asked to come to the next JDAI meeting; he is interested in detention regionalization. The governor's office has indicated that this a policy that the legislature should take the lead on.
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Topic: Technology Recommendations for Court Ordered Removals (Information only)

Speaker: Diana Hegyi, Deputy Court Administrator; Maricopa County Superior Court

Summary of Discussion:

- We have had prior discussions indicating that Maricopa County will be the location where DCS will be requesting the court authorization to remove children, as it will be difficult for small counties to have a judge available 24/7. We do have the responsibility to be available 24/7. We are improving and changing systems already in place so that DCS can get orders in this way.

Diane's team has a plan in place on how to use the technology so that there are no delays in getting the orders that they need.

- *Technology Recommendation for Court Ordered Removals*: PowerPoint presentation and demonstration.
 - *JWA/JAX*- in the process of re-writing JWA and re-naming it JAX- *Juvenile Access and Exchange*. This secure website is used in Maricopa County by DCS officers and professionals who represent the children/parents to seek information.
 - Police officers can also ask for a search warrant while out in the field.
 - Back up for the system: if the system is down, the officer will submit paper back-up via the already established *fax system*.
 - Suggestion from the Committee: It would be nice to link this to AJAX in the future.
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Topic: Child Removal Authorization Orders Rule and Process (Information and possible Action Item)

Speaker: David Withey, Caroline Lutt-Owens

Summary of Discussion:

- A workgroup has met once and will be meeting again in September to make final decisions on what the form will look like. DCS drafted the form and forwarded to AOC, (David Withey); it has now been sent back to DCS and will be distributed for comment soon. We are working through the details with Maricopa County, DCS and some of our judges.
- Training of the judicial officers in IA court will also need to be discussed.
- Rule Petition: the ultimate deadline is July 1, 2018. The rules have been in a drafting /feedback phase within the judicial department. There were three designees from this committee asked to assist.
- There are a lot of references to search and seizure statutes in the petition, as that is the body of law that we need to comply with. We have included in the rule some of the requirements that are currently in place for search warrants, so that we are in compliance with Arizona search and seizure provisions, as well as Federal constitution provisions.
- The petition will be circulated with the rule to the general public next week; this will be the last pre-filing opportunity. Any comments, please consider prior to filing the petition. The filing will be early September, followed by a 60-day public comment period. By the end of October the comment period will end; the court will have time to act on it for their December agenda. It could be adopted as early as January 1st, but we will most likely align the rule with the statute. We will need to have the rules adopted at the December agenda due to the need to do the required training in early 2018. We will also need to allow time for the required programming, which is projected to take two-three months. We hope to have comments from DCS and the AG's office prior to putting out for public comment next week.

Other Rule Matters (Rules already effective):

- Rule on Indian Child Welfare Act (ICWA):
 - Incorporates into the Rules of Juvenile Court the changes in federal regulations that were made and effective several months ago. The idea of putting them in the Juvenile Rules is to emphasize those federal regulations that probably make some changes in practice. Many are technical and are mandatory. The court has recognized that due to the supremacy of federal law, these provisions now apply to all Arizona ICWA cases.

- The Arizona rules were adopted effective August 10th. *A link to the rules has been provided to the committee, as well as a PowerPoint.*
 - Rules concerning guardianship (effective August 9th)
 - These rules implement the guardianship legislation.
 - *A link to these new rules have been provided to the committee via email.*
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Topic: System Improvement

Speaker: Joe Kelroy, JJSD Director; Denise Smith, Pinal County Juvenile Court Director

Summary of Discussion:

- **Regionalization Task Force Update** – Joe Kelroy
 - Three counties have thus far closed their facilities. The task force, formed by administrative order, has met throughout the summer and is in the process of compiling their report, with a due date of September 30th. The report is scheduled for presentation to AJC in October. This does not cover ADJC.
- **Sex Offender Review** – Joe Kelroy
 - The Association for Treatment Providers for Sex Abusers came out with their new guidelines. Dr. Bumby will be reviewing practices in Maricopa and how they manage juveniles that commit sex offenses. Using cases that have closed in 2016, case plans will be reviewed, looking at providers and how they are providing those services. Dr. Bumby and the National Center will develop and provide us with recommendations. The process is scheduled to last 10-12 months. We have asked five counties (Maricopa, Pima, Pinal, Yavapai and Coconino) to participate, with an advisory group formed to support this effort. This will provide an opportunity for us to look at how this is done within both the probation and the provider world.
- **System Alignment/CPC**
 - In prior years, JJSD has worked with Georgetown and Vanderbilt University on a review of our providers and developing a system to determine if they are providing best practices. More recently, we have shifted away from Vanderbilt and are aligning with the University of Cincinnati (U of C), which uses a Correctional Program Checklist (CPC). ADJC uses the CPC as well. JJSD will be partnering with the U of C on this project. Shay Bilchek and Dr. Ed Latessa will provide an overview with a January 2018 one-day training at the AOC for leadership, providers and any other stakeholders selected. JJSD will work with the CPC and the U of C in the evaluation of our providers. We will begin with the residential programs to see what types of evidence-based programming they are doing and their outcomes. This is a data-driven piece of work to help us determine if we are spending our money in the right places and getting what we want from the providers moving forward.
- **Apache County Youth Center “The Loft”**- The Honorable Michael Latham; Presiding Juvenile Court Judge
 - A PowerPoint presentation was given by Judge Latham, highlighting the newly renovated Apache County Detention Center, “The Loft”.
 - The Detention Center has become a Teen Center: music and art equipment, audio editing, YouTube channels, volunteers to teach music lesson, coding and web design, as well as internet. There are completely separate doors for the Teen Center and intake. The goal is that it is a place where they want to be; a pro-active solution. Some of the

probationers have come in to help with painting, dry wall etc. National Honor Society will be tutoring; Culinary School will do catering events to earn money. The Teen Center will serve St. John's and Concho for the most part. The community has been very receptive to this.

- **Racial and Ethnic Disparity (RED) Update** -Denise Smith, Pinal County Juvenile Court Director
 - Pinal County formed a strategic planning group that consisted of community stakeholders, our detention staff and the Burns Institute, at which we identified five goals:
 1. Reducing the disproportionate rates of youth of color in detention and placed on probation, with the Black youth over-represented in Pinal County.
 2. Reducing the disproportionate length of stay in detention for youth of color.
 3. Reducing the disproportionate rates of youth of color who are charged as adults. Sixty percent of the kids are discretionary transfers to adult court. Seventy percent of these are of Latino population.
 4. Creating partnerships with youth and families to address racial and ethnic disparities. We typically work with the child; we would like to create more partnerships with youth *and* their families.
 5. Increasing cultural competency in Pinal County by confronting implicit and explicit bias through training and education of system staff and our stakeholders.
 - We have recently been accepted to the Certificate Program with the RED/Georgetown in November. We also will have technical assistance in the same area with the Burns Institute. We have been with JDAI for the last six years and it is time that we start discussing this difficult subject.

Topic: Old Business

Speaker: COJC Chair

Summary of Discussion:

- None

Topic: Around the State/Upcoming Training

Speaker: Members

Summary of Discussion:

Judge Kim Corsaro (Santa Cruz) - Comments to the Committee with regard to her retirement from the bench. Judge Corsaro is looking to find a successor to continue the initiatives begun in Santa Cruz county. The transition plan is for all of the juvenile cases to go to Judge Fink. We are having a judicial conference in October for the entire judicial staff; anyone wishing to attend is welcome.

Judge Karl Elledge (Cochise) – not present

Judge Rick Williams (Mohave) – not present

Ms. Connie Koch (FCRB Rep) – nothing to report

Director Joe Kelroy (JJSD)- JOLTSaz will be rolled out to all counties by December of this year, with three counties remaining. Along this path, we are working with Maricopa to have iCIS feed into JOLTSaz to create a more complete warehouse from which to extract data for future efforts.

Judge C. Allan Perkins (Apache) - as noted by Judge Latham.

Director Caroline Lutt (DCSD) – Hosting a conference for 400 CASA and FCRB volunteers tomorrow.

Judge Margaret McCullough (Coconino) - Judge McCullough will be conducting a training for probation and treatment staff on judicial ethics.

Judge Colleen McNally (Maricopa) - Judge Tim Ryan will be assuming this role at COJC. We have been discussing a Problem Solving Court for kids that have been exploited in sex trafficking or who are at high risk. We have had support from the AOC and the McCain Institute. A key component is that we are engaging Savannah Sanders, a survivor and a degreed professional who has done quite a bit of training and consulting on this issue and is a great resource. The primary goal is that all kids have the same resources regardless of which door they came in: dependency or delinquency.

Mr. Eric Meaux (Juv. Court Director, Maricopa) - In the last few months, we have been taking a close look at our programming in detention. We brought in a new quality assurance measure, PBS, and identified some areas in which we could do better in terms of family engagement and idle hours in the detention center. Next month, we will be starting a program called “Reading Legacies”, which touches on both education and family engagement. This group will form reading groups with the kids which are videotaped and sent back home to the family and siblings who can then watch their child read to them. This helps to maintain the family connection. We also applied and received one of the Department of Education grants for character education in detention centers; this will allow us to almost double the amount of workshops done in the detention center. The idea is to create a different culture/environment. We have also had conversations with 4-H regarding master gardening programs in detention centers.

We have discussed kids staying in detention center rather than being transferred to downtown jail; “unique” kids. Significant portion could have been on probation. This is the first time that we have merged data from the Sheriff’s office with our own data; much better data sharing.

Judge Daniel Washburn (Pinal) - On September 21st we will have Dependency Attorney training, which is open for service providers as well as attorneys. We are covering some of the updates to the ICWA definition as well as case updates. We will also cover the safety plan that we are implementing in the courts. The city of Florence is going to host the *AzAFCC* mid-year conference on September 28th. This is a combined dependency/family law training.

Judge Kathleen Quigley (Pima) – There will be training October 5th on Psychosexual Evaluations presented by Dr. Becker; all are welcome to attend. The county attorney agreed to have “old warrant” court, looking at cases at least one-year old on a warrant. This will occur on a quarterly basis.

Judge Mark Wayne Reeves (Yuma) - Last year we began the Successful Futures Program as a pilot; we began with the low risk kids. We then moved to medium risk kids. This was not quite as successful; 60% graduated, but it still worked quite well. We will now be moving up to medium/high risk kids.

Judge Robert Higgins (Navajo) – not present

Judge Corey Sanders (Graham) - Following our Child Safety Training, we will be hosting a training on September 15th for our DCS workers, our attorneys, judges and anyone involved with the child welfare system. Presenters will include Judge Sanders, our regional supervisor from DCS, and a few parent side/children side attorneys.

Ms. Tina Mattison (Proxy for Interim Juvenile Court Director, Pima) - Pima County Juvenile Court is in the process of hiring a new Juvenile Court Director. We have some changes in our Children and Family Services division, with Stacy Brady as the director. We are continuing our work on CYPM in

training with DCS and probation within the community, which has been very well received. Our dependency petitions last month were very low (50%).

Judge Monica Stauffer (Greenlee) – Judge Stauffer would like to take the opportunity to thank Judge Corsaro for her help in Greenlee County and wish her all of the best in her new career. We will miss Judge McNally and her leadership, and are excited to welcome Judge Quigley as the chair to this committee.

Tyson Ross (Proxy for La Paz)- nothing to report

Judge Bryan Chambers (Gila) - On May 15th (50th anniversary of *In re Gault* decision) there was a special presentation at the Globe Center of the Arts (old courthouse). A bronze plaque was placed on the new courthouse to commemorate the case.

Judge Anna Young (Yavapai) – CYPM training in October ; DCS partnering with Juvenile Probation in presenting. We are inviting all of our CASA's, our attorneys and DCS staff.

Ernest Rose (Public Member, Maricopa) – nothing to report

Denise Smith (Juvenile Court Director, Pinal) - The Juvenile Court Services has engaged the city of Maricopa law enforcement, school and community to participate in Teen Court. First designed just for school as a school-to-prison pipeline approach, it is now for the front end kids. The probationers will be able to sit on jury; won't be able to use jury as a graduated response to violation. The county attorney and the community are especially involved.

Next COJC Meeting:

The next COJC meeting is scheduled for Thursday, October 26, 2017, at the Arizona Courts Building, Rooms 345A/B.

Adjournment:

The meeting adjourned at 2:08 p.m.