

IN THE SUPREME COURT OF THE STATE OF ARIZONA
ADMINISTRATIVE OFFICE OF THE COURTS

In the Matter of:)
)
AUTHORIZING A WAIVER TO) Administrative Directive
UTILIZE A ONE-PERSON TEAM) No. 2009 - 03
FOR INTENSIVE PROBATION)
SUPERVISION IN LA PAZ COUNTY)

Arizona Revised Statutes § 13-916, provides:

A. The chief adult probation officer in each county, with approval of the presiding judge of the superior court, shall appoint intensive probation teams consisting of one adult probation officer and one surveillance officer, or one adult probation officer and two surveillance officers.

B. A two person intensive probation team shall supervise no more than twenty-five persons at one time, and a three person intensive probation team shall supervise no more than forty persons at one time.

Arizona Revised Statutes §13-919 provides:

The requirements of section 13-916, subsection A, subsection B and subsection F, paragraph 2 may be waived for a county with a population of fewer than three hundred thousand persons if the case load of every adult probation officer supervising persons on intensive probation is not more than fifteen persons and the program requires visual contact with each probationer at least one time a week.

Administrative Code Section 6-202(L)(2) and (3) provides:

2. On request of the participating court, the administrative director may waive supervision, contact and caseload limit requirements.

3. The presiding judge shall file a waiver request pursuant to A.R.S. § 13-916 with the AOC on a form prescribed by the administrative director. The administrative director shall determine whether to grant the waiver.

On February 24, 2009, the Honorable Michael J. Burke, Presiding Judge in La Paz County, requested the Administrative Office of the Courts to grant a waiver to allow the La Paz County Adult Probation Department to utilize a one-person Intensive Probation Supervision team.

The Administrative Director has given due consideration to this request and finds that it is in compliance with statutory requirements for a waiver.

Now, therefore, pursuant to Administrative Code Section 6-202(L)(2) and (3),

IT IS DIRECTED that the Superior Court in La Paz County is granted a waiver exempting the probation department from the requirements of A.R.S. §13-916(A)(B) and (F)(2) for every IPS officer who provides supervision of not more than fifteen persons and has visual contact with each probationer at least one time per week. All other IPS officers in the county shall supervise probationers as required by A.R.S. §13-916.

IT IS FURTHER DIRECTED that this waiver is effective on and after the date of signature.

Dated this 12th day of March, 2009.

David K. Byers
Administrative Director