

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 ONE-PERSON TEAMS FOR)	No. <u>2011-15</u>
INTENSIVE PROBATION)	
SUPERVISION IN NAVAJO COUNTY)	
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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 § 6-202.01(L)(2) and (3) provide:

2. 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.

3. Waiver requests shall be renewed annually if the participating court expects to maintain caseloads of no more than fifteen persons on intensive probation supervision caseloads.

On February 9, 2010, the Honorable Michala Ruechel, Presiding Judge of the Superior Court in Navajo County, requested the Administrative Office of the Courts to grant a waiver to allow the Navajo County Adult Probation Department to utilize seven one-person Intensive Probation Supervision teams. On February 25, 2010, the Administrative Director granted a waiver to utilize one-person teams for Intensive Probation Supervision in Navajo County through Administrative Directive No. 2010-05.

On February 1, 2011, the Honorable Michala Ruechel, Presiding Judge of the Superior Court in Navajo County, requested the Administrative Office of the Courts to renew the waiver to allow the Navajo County Adult Probation Department to utilize one-person Intensive Probation Supervision teams. On February 25, 2011, the Administrative Director granted a waiver to utilize one-person teams for Intensive Probation Supervision in Navajo County through Administrative Directive No. 2011-09.

On March 30, 2011, the Honorable Michala Ruechel, Presiding Judge of the Superior Court in Navajo County, requested the Administrative Office of the Courts to renew the waiver to allow the Navajo County Adult Probation Department to utilize one-person Intensive Probation Supervision teams. The Administrative Director has given due consideration to this request and finds it is in compliance with statutory requirements for a renewal of waiver.

Now, therefore, pursuant to Administrative Code § 6-202.01(L)(2),

IT IS DIRECTED that the Superior Court in and for Navajo 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 27th day of June, 2011.

David K. Byers
Administrative Director