

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
)  
ARIZONA CODE OF JUDICIAL ) Administrative Order  
ADMINISTRATION § 6-302.01: ) No. 2013 – 92  
JUVENILE INTENSIVE PROBATION )  
SUPERVISION EVIDENCE-BASED )  
PRACTICES )  
\_\_\_\_\_)

The above-captioned provision having come before the Arizona Judicial Council on October 17, 2013, and having been approved and recommended for adoption,

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.

IT IS FURTHER ORDERED that courts and probation departments shall be governed by section 6-302, unless and until the presiding judge of the court submits a plan and requests approval by the Administrative Director, Administrative Office of the Courts (AOC), for the court's probation department to be governed by section 6-302.01. The Administrative Director shall approve a request and plan that meets the following criteria:

1. The plan presents policies and procedures for the approval of the Administrative Director of the AOC that do the following:
  - a. Aim to reduce juvenile risk and the likelihood of future delinquent behavior that are consistent with the principles of evidence-based practices;
  - b. Require the administration of a youth assessment within 30 days, if not completed during the pre-dispositional process. Require the updating of the youth assessment upon each subsequent referral or once every six months, at a minimum;
  - c. Require probation officers to utilize graduated responses of incentives and consequences to address violation behavior and promote positive behavioral change, and;
  - d. Identify the criteria for requesting termination of probation when it is determined supervision is no longer necessary including the requirement that officers review case plans to determine eligibility.

2. The plan documents and confirms that all current probation and surveillance officers have completed AOC approved training in the following areas:
  - a. Standardized youth assessment
  - b. Arizona Code of Judicial Administration section 6-302.01
3. The plan presents for approval a strategic plan that is consistent with evidence-based practices.

IT IS FURTHER ORDERED that all juvenile courts shall comply with these requirements and be governed by ACJA 6-302.01 no later than July 1, 2015.

Dated this 6<sup>th</sup> day of November, 2013.

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REBECCA WHITE BERCH  
Chief Justice

**ARIZONA CODE OF JUDICIAL ADMINISTRATION**

**Part 6: Probation**

**Chapter 3: Juvenile Services**

**Section 6-302.01: Juvenile Intensive Probation Supervision Evidence-Based Practices**

**Courts shall be governed by section 6-302, except and until approved by the Administrative Director to be governed by section 6-302.01.**

**A. Definitions.** In this section, the following definitions apply:

“Administrative director” means both the administrative director of the Administrative Office of the Courts and the director’s designee.

“Administrative status” means a juvenile who is not currently receiving active supervision or if contact requirements have been suspended by the juvenile probation department.

“Alcohol and drug testing” means any validated or verified method of determining the level of identifiable substances in the body including, but not limited to, breath, blood, oral fluid urine, hair and sweat testing.

“Case plan” means the documented behavior change plan and supervision strategy developed by the supervising probation officer in collaboration with the juvenile and family or adult probationer which clearly identifies the risk factors and needs of the probationer and how they will be addressed.

“Case record” means any record pertaining to a particular probationer maintained by the probation department in electronic or paper medium.

“Child”, “youth” or “juvenile”, means “an individual who is under the age of eighteen years” as provided in A.R.S. § 8-201(6).

“Collateral” means any individual or agency that has a relationship to a particular juvenile that serves as a source of information or point of contact, including but not limited to friends, family members, law enforcement, victims, community members, neighbors, treatment providers, or other associates.

“Community restitution” means unpaid labor or services provided to a private not-for-profit or governmental agency.

“Court” means superior court.

“Criminogenic need” means any issues of concern which are directly linked to criminal or delinquent behavior that when addressed and changed affect a probationer’s risk for recidivism, which include, but are not limited to criminal personality, antisocial attitudes, values, beliefs, low self control, criminal peers, substance abuse, dysfunctional family, unemployment, and lack of education.

“Custodian” means “a person, other than a parent or legal guardian, who stands in loco parentis to the child or a person to whom legal custody of the child has been given by order of the juvenile court” as provided in A.R.S. § 8-201(8).

“Default” means a juvenile has not met obligations of supervision as outlined in terms of probation.

“Delinquent act” means “an act by a juvenile that if committed by an adult would be a criminal offense or a petty offense, a violation of any law of this state, or of another state if the act occurred in that state, or a law of the United States, or a violation of any law that can only be violated by a minor and that has been designated as a delinquent offense, or any ordinance of a city, county or political subdivision of this state defining crime. Delinquent act does not include an offense under section 13-501, subsection A or B if the offense is filed in adult court. Any juvenile who is prosecuted as an adult or who is remanded for prosecution as an adult shall not be adjudicated as a delinquent juvenile for the same offense” as provided in A.R.S. § 8-201(10).

“Delinquent juvenile” means “a child who is adjudicated to have committed a delinquent act” as provided in A.R.S. § 8-201(11).

“Delinquency risk” means measurable factors that have been correlated to the probability of recidivism that are gathered informally through routine interactions and observations with juveniles and by formal assessment guided by instruments.

“Director” means the director of the juvenile court or chief probation officer in combined departments.

“Evidence-based practice” means strategies that have been shown, through current, scientific research to lead to a reduction in recidivism.

“Hand count” means manual tabulation of all probation case files, conducted independently from any automated system.

“JIPS team” means one probation officer and one surveillance officer, or one probation officer and two surveillance officers, or two probation officers and one surveillance officer, or one probation officer if a waiver of standards is granted.

“Law enforcement officer” means “a peace officer, sheriff, deputy sheriff, municipal police officer or constable” as provided in A.R.S. § 8-201(19).

“Out-of-home placement” means “the placing of a child in the custody of an individual or agency other than with the child’s parent or legal guardian ....” as provided in A.R.S. § 8-501(8).

“Petition” means “a written statement of the essential facts that allege delinquency, incorrigibility or dependency” as provided in A.R.S. § 8-201(24).

“Referral” means “a report that is submitted to the juvenile court and that alleges that a child is dependent or incorrigible or that a juvenile has committed a delinquent or criminal act” as provided in A.R.S. § 8-201(27).

“Target interventions” means supervision related services determined by the juvenile’s risk, criminogenic needs, and other factors such as temperament, learning style, motivation, gender and culture.

“Visual contact” means face-to-face communication with the juvenile at any place, including but not limited to, the probation department and the juvenile’s residence, place of employment, treatment location or community restitution placement to discuss progress, issues of concern or other appropriate matters. Contacts with juveniles are not ends in themselves but are opportunities for officers to achieve specific objectives. These objectives include establishing rapport with the juvenile, assessing the juvenile’s criminogenic factors and triggers, developing and, when needed, modifying a case plan, and using both subtle and overt incentives and sanctions to guide the juvenile toward positive change.

“Youth assessment” means the state approved system of actuarial tools designed to assess risk, need, and responsivity factors of youth at various stages of the juvenile justice system.

**B. Applicability.** Az. Const. Art. 6, § 3 and A.R.S. § 8-358(A) which specifically provides: “The supreme court shall establish juvenile intensive probation guidelines.” The Administrative Office of the Courts (AOC) shall administer juvenile intensive probation supervision (JIPS) programs on behalf of the supreme court.

**C. Purpose.** JIPS is, as A.R.S. § 8-351 provides “a program which is established pursuant to this article of highly structured and closely supervised juvenile probation and which emphasizes surveillance, treatment, work, education and home detention.” The purpose of JIPS programs is to reduce commitments to the state department of juvenile corrections and other institutional or out-of-home placements.

**D. General Administration.**

1. The AOC shall:

- a. Administer and direct JIPS on behalf of the supreme court;
- b. Monitor JIPS;
- c. Prepare written material establishing various techniques, practices, guidelines, and other recommendations regarding the operation and management of JIPS and distribute this material to appropriate superior and juvenile court judges and probation personnel;

- d. Inspect, audit or have audited the records of any juvenile court operating a JIPS;
- e. Prescribe and adopt procedures, forms and reports necessary for financial administration, program administration, operation and management of JIPS;
- f. Conduct seminars and educational sessions regarding the purpose and operation of JIPS;
- g. Establish performance measures and expectations in consultation with juvenile courts for determining compliance with each court's JIPS plan and budget request;
- h. Assist juvenile courts in developing their JIPS program plans and budgets;
- i. Provide general assistance to juvenile courts on the operation of JIPS;
- j. Adopt other administrative practices and procedures, consistent with this section, as necessary for the administration of JIPS; and
- k. A.R.S. § 8-358(B) provides:

The supreme court shall annually submit a report stating the number of juveniles supervised on intensive probation during the prior year, the nature of the offense and the delinquent history of each of these juveniles to the governor, the speaker of the house of representatives and the president of the senate at the time of its annual budget request and shall provide a copy of this report to the secretary of state. Beginning July 1, 2011, the report shall be submitted electronically.

2. Each juvenile court and juvenile probation department receiving state JIPS funds shall comply with this section, to promote uniform administration.

#### **E. Budget Request Preparation.**

1. A.R.S. § 8-357 provides: "The presiding juvenile judge of the superior court in the county shall annually submit a proposed budget for the following fiscal year for the juvenile intensive probation program to the supreme court."
  - a. The director shall include, with the budget, a plan for the operations of JIPS for the following fiscal year.
  - b. The administrative director shall establish the date for submission, as well as the forms to be used and the corresponding instructions.

2. A.R.S. § 8-357 provides: “The supreme court shall review each request and include the counties’ requests in its annual budget request and shall allocate to the participating counties the monies appropriated by the legislature for intensive probation.”
  - a. The administrative director shall review each request, and may modify the request based on appropriate statewide considerations.
  - b. The AOC shall include the court’s request or modified request in the supreme court’s annual budget.
  - c. The administrative director shall allocate to the court the monies appropriated by the legislature for JIPS based on the proposed plan, availability of funds, caseload population, past year use and program effectiveness.
3. The chief justice shall make the final determination if a court does not agree with the allocations and requests further review.
4. Each juvenile court shall support the budget request with written justification and explanation as required by the administrative director.
5. A.R.S. § 12-269 (A) provides:

The administrative office of the courts shall not disburse any direct state aid for probation services monies, including motor pool costs, that are appropriated for juvenile intensive probation services pursuant to section 8-353, state aid for probation services pursuant to section 12-262, adult intensive probation pursuant to title 13, chapter 9 and community punishment programs pursuant to article 11 of this chapter to a county with a population of two million or more persons.

**F. Program Plan and Financial Management.**

1. Each juvenile court requesting state funding shall submit an expenditure plan to the administrative director. The expenditure plan and any modifications shall be consistent with A.R.S. §§ 8-351 through 358, this section, the supreme court’s budget request and available monies appropriated by the legislature for JIPS. The juvenile court shall submit the plan within the prescribed time frame and on forms required by the administrative director.
2. Each presiding judge of a juvenile court shall submit, in writing, all requests to modify expenditure plans on a form approved by the administrative director.
3. In the event the administrative director disapproves a plan or plan modification submitted by a juvenile court, the presiding judge of the juvenile court may request that the administrative director submit the plan to the chief justice of the supreme court for consideration and final determination.

A.R.S. § 12-263 provides: “The supreme court shall have the authority to reject any plan submitted pursuant to section 12-262. Upon approval of a plan submitted, the supreme court shall enter into a funding agreement with the county and shall make payments to the county as necessary to carry out the agreement.”

4. The administrative director may amend or terminate funding agreements due to lack of funds, lack of financial need, or the courts failure to comply with applicable statutes, the approval plan, funding agreement or this section.
5. A.R.S. § 12-268(A) provides: “The board of supervisors shall designate a chief fiscal officer who shall establish and administer a juvenile probation fund consisting of ... (d) Monies for juvenile intensive probation services established by title 8, chapter 3, article 4.”
6. A.R.S. § 12-268(C) provides: “The state monies in the juvenile probation services fund shall be used in accordance with guidelines established by the supreme court or the granting authority.”
7. The juvenile court receiving state funds shall use allocated state funds and interest only for the support and operation of approved JIPS.
8. On agreement with a juvenile court, the administrative director may withhold funds allocated to the juvenile court and may authorize direct expenditures for the benefit of the court. The administrative director may also reallocate these funds during the fiscal year.
9. The presiding judge of each juvenile court shall submit to the AOC, by January 31 of each year, a mid-year financial and program activity report related to the court’s plan through December 31. Failure to submit the report in a timely manner may result in financial sanctions.
10. The presiding judge of each juvenile court shall submit to the AOC, by August 31 of each year, a closing financial and program activity report related to the court’s plan through June 30. Failure to submit the report in a timely manner may result in financial sanctions.
11. The presiding judge of each juvenile court shall return to the AOC by August 31 of each year, all JIPS funds distributed to the juvenile court which are unencumbered through June 30 and unexpended through July 31. Failure to revert unexpended funds in a timely manner may result in financial sanctions.
12. The administrative director shall determine how the funds are used in the event that a juvenile court experiences a decreased need for funds or declines to participate after the legislature has appropriated funds for JIPS.
13. Each juvenile court shall maintain and provide data and statistics to the AOC, as may be required by the supreme court to administer JIPS.

14. On request of the AOC, the director shall conduct a hand count of the department's JIPS population. The director shall submit the results of the hand counts to the AOC.
15. Each juvenile court shall retain all financial records, applicable program records, and data related to each approved plan for a period of at least five years from the close of each fiscal year.
16. Each juvenile court shall deposit fees collected pursuant to A.R.S. § 8-241, and any interest collected on those fees into the juvenile probation services fees fund pursuant to A.R.S. § 12-268.

**G. Allocation and Management of JIPS Personnel Placements.** The administrative director shall allocate state funded JIPS personnel placements approved for intensive probation among juvenile courts. The administrative director may prepare and implement procedures for adjusting allocated placements and associated monies among juvenile courts.

**H. Eligibility Requirements for JIPS.**

1. A.R.S. § 8-358(A) provides:
  - A. The supreme court shall establish juvenile intensive probation guidelines. In establishing these guidelines the supreme court shall ensure that both:
    1. Juveniles who are granted intensive probation meet the requirements of section 8-352.
    2. Based on the nature of the offense and the delinquent history of the juvenile, there are reasonable grounds to believe that the juvenile is able to remain at liberty without posing a substantial risk to the community.
2. A.R.S. § 8-352(B) provides that prior to recommending intensive probation:

The juvenile probation officer shall evaluate the needs of the juvenile and the juvenile's risk to the community, including the nature of the offense, the delinquent history of the juvenile, the juvenile's history of referrals and adjustments and the recommendation of the juvenile's parents. The juvenile probation officer shall include the recommendation of the juvenile's parents in the disposition summary report. If the nature of the offense and the prior delinquent history of the juvenile indicate that the juvenile should be included in an intensive probation program pursuant to supreme court guidelines for juvenile intensive probation, the juvenile probation officer may recommend to the court that the juvenile be granted intensive probation.

3. The probation officer shall include in the disposition summary report, case information related to delinquent risk and criminogenic needs as documented by the youth assessment, in addition to other file and collateral information. The report shall also contain the officer's recommendation for supervision and treatment services based upon the juvenile's documented delinquent risk and criminogenic needs.
4. Probation officers shall support any recommendation for the placement of a juvenile on JIPS with the youth assessment, and other documented factors that increase risk.
5. Juveniles who are adjudicated for delinquent acts or for violations of probation originating from a delinquent act are eligible for JIPS.
6. The court shall not grant intensive probation to juveniles placed in an out-of-home placement for more than 30 days. The court shall reduce the juvenile to standard probation if the juvenile is currently on JIPS and requires placement over 30 days.
7. A juvenile probation officer who recommends intensive probation shall state the reasons for the recommendation in the disposition summary report. The officer shall recommend and the court may order JIPS for:
  - a. Juveniles who would otherwise have been recommended for commitment to the state department of juvenile corrections;
  - b. Juveniles who would otherwise have been recommended for an out-of-home placement;
  - c. Juveniles who meet the requirements set forth in A.R.S. § 8-352(B) and (H)(2) of this section; or
  - d. Juveniles who are repeat felony offenders.
8. A.R.S. § 8-352(C) provides: "After reviewing the juvenile's prior record, the facts and circumstances of the current delinquent act or technical violation of probation and the disposition summary report, the court may grant the juvenile a period of intensive probation."
9. Prior to placing a juvenile on JIPS, the court shall consider:
  - a. The juvenile probation officer's recommendations;
  - b. The factual basis and circumstances leading to the juvenile's disposition;
  - c. Monies and funds appropriated and the availability of adequate staff and treatment resources to ensure the level of intensive supervision required; and
  - d. Other factors appropriate to the ends of justice.

10. A.R.S. § 8-352(D) provides: “When granting intensive probation the court shall set forth on the record the factual reasons for using the disposition.”

**I. Dispositional Provisions.**

A.R.S. § 8-352(E) provides:

Intensive probation shall be conditioned on the juvenile:

1. Participating in one or more of the following throughout the term of intensive probation for not less than thirty-two hours each week:
  - (a) School.
  - (b) A court-ordered treatment program.
  - (c) Employment.
  - (d) Supervised community restitution work.
2. Paying restitution and probation fees except that the inability to pay probation fees or restitution does not prohibit participation in the intensive probation program.
3. Remaining at a place of residence at all times except to attend school, work or treatment, to perform community restitution or to participate in some activity, as specifically allowed in each instance by the supervising juvenile probation officer, or if in the direct company of a parent, guardian or custodian, as approved by the juvenile probation officer.
4. Allowing administration of drug and alcohol tests as directed by a juvenile probation officer.
5. Meeting any other conditions imposed by the court, including electronic monitoring, to meet the needs of the juvenile or to limit the risks to the community.

**J. Caseload Limit.**

A.R.S. § 8-353(B) provides: “A two person intensive probation team shall supervise no more than twenty-five juveniles at one time. A three person team shall supervise no more than forty juveniles at one time.”

**K. Active Cases.**

1. A JIPS team's active caseload shall include:
  - a. Juveniles residing in county and receiving intensive probation;
  - b. Juveniles in out-of-home placement for less than thirty (30) days;
  - c. Juveniles placed in detention; and
  - d. Juveniles on warrant status for less than 90 days.
2. A JIPS team's active caseload shall not include:
  - a. Juveniles on administrative status for one of the following reasons:
    - (1) Juveniles traveling for more than 30 days out of state or country with the approval of the juvenile probation department;
    - (2) Juveniles direct filed to adult court and currently held in adult jail pending the adult court action; or
    - (3) Juveniles residing for more than 30 days out of state, or country, and the department has retained jurisdiction of the juvenile.
  - b. Juveniles on warrant status for 90 days or more; and
  - c. Juveniles not yet dispositioned to JIPS.

**L. Waiver Provisions.** On request of the juvenile court, the administrative director may waive supervision, contact, and caseload limit requirements.

1. A.R.S. § 8-356(A) provides:

The supreme court may waive the requirements of section 8-353, subsections A and B and subsection C, paragraph 2 for a county if the case load of officers supervising juveniles on intensive probation is not more than fifteen juveniles and the program requires visual contact with each probationer at least one time a week.
2. A.R.S. § 8-356(B) provides:

If a waiver is granted and the intensive probation case load for each officer does not exceed fifteen, officers may supervise other additional juveniles on probation who in the judgment of the chief probation officer require additional supervision or pose a greater than normal risk to the community, as long as the total case load does not exceed fifteen.

3. The presiding juvenile court judge shall file a waiver request pursuant to A.R.S. § 8-356 with the AOC on a form prescribed by the administrative director. The administrative director shall consider the following when determining whether to grant the waiver:
  - a. The number of juveniles on intensive probation in the requesting county;
  - b. The geographical make up of the requesting county and the communities that would be served under the waiver; and
  - c. The impact to the program and the implementation of evidence-based supervision by utilizing one-person teams.
4. If a waiver is granted, it will be in force until such time as the presiding juvenile court judge notifies the AOC in writing that use of the waiver is no longer necessary or when the AOC notifies the presiding juvenile court judge that the waiver is no longer authorized.

#### **M. Program Operations.**

1. Each juvenile probation department shall develop:
  - a. Policies and procedures that aim to reduce juvenile risk and the likelihood of future delinquent acts that are consistent with the principles of evidence-based practices. The policies and procedures shall be interdependent, applied in developmental order and shall notably assess delinquent risk and criminogenic need, enhance intrinsic motivation, target interventions, provide skill training with directed practice, increase positive reinforcement, engage ongoing support in natural communities, measure relevant processes and practices, and provide measurable feedback;
  - b. Policies and procedures regarding alcohol and drug testing of juveniles on intensive probation. The procedure shall address the methods used to select juveniles for testing, the frequency of testing, and the type of test to be administered;
  - c. Protocols for working with the office of the clerk of the superior court to establish a process by which supervising probation officers are provided with accurate and timely information concerning collections;
  - d. Policies and procedures to ensure the collection of monies owed as a condition of JIPS. Each probation department and JIPS team shall immediately address any arrearage. Each probation department and JIPS team shall also encourage the JIPS juvenile's payment of other assessments ordered by any court;

- e. Policies and procedures which require intensive probation officers to administer a youth assessment for each juvenile supervised, within 30 days, if not completed during the pre-dispositional process. Officers shall consider assessment results, family feedback other agencies involved, as well and any other relevant information, when developing a case plan;
- f. Policies and procedures which require intensive officers to develop a case plan within 30 days of disposition. The officer shall ensure the case plan includes objectives that are measurable, signatures of the probation officer juvenile and the juvenile’s parent or guardian;
- g. Policies and procedures which require the supervising probation officer to update the youth assessment, upon each subsequent referral and once every six months, at a minimum. Upon each re-administration, juvenile officers shall review the previous case plan evaluating and updating noted strategies to reflect identified risk and needs;
- h. Policies and procedures that require probation officers to utilize graduated responses to promote positive behavioral change through incentives, consequences, and supervision to address violations;
- i. Policies and procedures by which accurate and timely records of the completion of community restitution hours are maintained for each intensive juvenile probationer. Credit toward court-ordered community restitution requirements are awarded on the basis of actual hours completed unless authorized by the court.

2. Each JIPS team shall:

- a. Develop and implement supervision strategies that match youth assessment results and address criminogenic needs in addition to the juvenile’s delinquency risk, and strengths that promote case plan goals and provide effective supervision that is individualized, proportional and purposeful. Surveillance and other intervention shall be proportionately matched to emerging or decreasing risk factors;
- b. As provided by A.R.S. § 8-353(C)(2) “Exercise close supervision and observation over juveniles who are ordered to participate in the intensive probation program . . . .”;
- c. Evaluate and update the case plan on an on-going basis to identify progress towards goals and conditions of probation;
- d. As provided by A.R.S. § 8-355 “The juvenile intensive probation team shall ensure that each juvenile under its supervision is either employed, attending school, participating in a community restitution program or attending a court ordered treatment program or any combination thereof as ordered by the court for not less than thirty-two hours each week.” This shall be accomplished by:

- (1) Assisting juveniles seeking employment and closely monitoring employment of juveniles if the juveniles are authorized to work in the United States;
  - (2) Closely monitoring participation in court-ordered treatment programs, involving the parent or guardian in the rehabilitation and treatment of the juvenile; and
  - (3) Providing or arranging for appropriate supervision of juveniles performing community restitution work.
- e. Respond to emerging risk indicators with graduated increases in the level of supervision, pursuant to departmental procedures;
  - f. Provide juveniles with feedback on the results of an assessment by providing positive reinforcement to encourage behavioral changes and progress with the established behavioral goals and conditions of probation;
  - j. Involve the parent or guardian in the rehabilitation and treatment of the juvenile;
  - k. Monitoring of court-ordered financial obligations. The inability to pay probation fees or restitution does not prohibit participation in JIPS;
  - l. As provided by A.R.S. § 8-353(C)(4) “Request the county attorney to bring a noncompliant probation before the court.”;
  - m. Make documented efforts to locate a defaulted juvenile. The supervising probation officer shall request a warrant be issued if the juvenile is not located. Efforts to locate the juvenile shall continue pursuant to the court’s departmental policy;
  - n. Re-evaluate the adequacy and applicability of the court ordered conditions of probation as part of the ongoing assessment and planning process and if applicable, petition the court for modifications;
  - o. Target interventions to high-risk cases to promote public safety;
  - p. Review the previous case plan during the development of a new case plan to determine if a change in strategies is required to promote behavioral changes. Strategies shall be re-evaluated if there has been regress or no change in behavior;
  - q. Petition the court to modify the intensive juvenile probationer’s supervision to standard probation or terminate the period of probation when the JIPS team determines that intensive probation is no longer needed. If the intensive probation grant is modified to standard supervision, the probation department shall transfer the case to a standard probation officer, and;
  - r. Require each active case under the JIPS team’s supervision to submit a schedule of activities for approval. Juveniles who are detained or participating in out-of-home placement are exempt from this requirement. The intensive probation team shall monitor and enforce the approved schedule.

3. A.R.S. § 8-354(A) provides:

The juvenile probation officer shall periodically examine the needs of each juvenile who is granted intensive probation and the risks of modifying the level of supervision of the juvenile. The court may at any time modify the placement or the level of supervision of a juvenile who is granted intensive probation.

- a. Levels of supervision may be progressively increased or decreased over the term of supervision dependent on compliance by the juvenile with the conditions of probation, and continued law-abiding behavior.
  - b. Requests by the JIPS team for a change in the level of supervision of a juvenile shall be in accordance with minimum requirements. The level of supervision shall not be decreased beyond the minimum level described in section O, Minimum Supervision Requirements.
4. The probation officer may petition the court to terminate the period of intensive probation based on results of a youth assessment and an evaluation of the juvenile's behavioral changes in compliance with the conditions of probation. If the court transfers the juvenile to standard probation, the juvenile shall be assigned to a standard probation officer.
5. Recommendations by a JIPS officer to the court to terminate a juvenile's intensive probation supervision or to reduce the level of supervision shall be preceded by completion of a youth assessment and shall be based on satisfactory compliance and performance by the juvenile with the conditions and terms of intensive probation.
6. Victim notification. A.R.S. § 8-396(A)(B)(C) provides:

A. On request of a victim who has provided an address or other contact information, the court shall notify the victim of any of the following:

1. A probation revocation disposition proceeding or any proceeding in which the court is asked to terminate the probation or intensive probation of the delinquent who committed the delinquent act against the victim.
2. Any hearing on a proposed modification of the terms of probation or intensive probation.
3. The arrest of a delinquent pursuant to a warrant issued for a probation violation.

B. On request of a victim who has provided a current address or other current contact information, the probation department shall notify the victim of the following:

1. Any proposed modification to any term of probation if the modification affects restitution or incarceration status or the delinquent's contact with or the safety of the victim.
2. The victim's right to be heard at a hearing that is set to consider any modification to be made to any term of probation.
3. Any violation of any term of probation that results in the filing with the court of a petition to revoke probation.
4. That a petition to revoke probation alleging that the juvenile absconded from probation has been filed with the court.
5. Any conduct by the juvenile that raises a substantial concern for the victim's safety.

C. If a victim has requested post adjudication notice and probation is revoked and the juvenile is committed to the department of juvenile corrections, the court shall notify the department of juvenile corrections of the victim's request.

#### **N. JIPS Placement**

1. A juvenile placed on JIPS shall be supervised by the JIPS team pursuant to the minimum supervision requirements until such time as a youth assessment and initial case plan have been completed and the juvenile has demonstrated satisfactory progress meeting case plan objectives.
2. Upon completion of a youth assessment and initial case plan, the JIPS team shall utilize the results of the youth assessment, along with the juvenile's compliance with the conditions of JIPS, and any other relevant factors, and recommend to the court placement on an appropriate supervision level.
3. A juvenile continued on JIPS as a result of a probation violation may be supervised at any level as established by a youth assessment and other relevant information. The JIPS team shall utilize the results of the youth assessment, along with the juvenile's compliance with previously imposed conditions of standard or intensive probation and any other relevant factors, and recommend to the court placement on an appropriate supervision level.
4. A juvenile may exit JIPS at any supervision level.

#### **O. Minimum Supervision Requirements.**

1. The following supervision requirements are established as minimum thresholds. Each juvenile probation department may establish more rigorous requirements for any supervision level. Each director shall ensure that all established minimum requirements are provided in writing to each JIPS team, along with appropriate training regarding adherence to those requirements.

2. The probation department shall establish supervision guidelines that are directed toward achieving desired outcomes that include, but are not limited to the reduction of the juvenile recidivism and criminogenic factors and will ensure that the majority of JIPS resources are dedicated to high risk juveniles in order to successfully complete their term of probation and promote positive behavioral changes. Supervision guidelines shall include the following considerations:
  - a. Tailored to the risks, needs and strengths presented by the individual juvenile as determined by the youth assessment;
  - b. Supervision programs, surveillance and strategies shall incorporate a continuum of graduated sanctions necessary to promote public safety and supervision goals;
  - c. Initial and subsequent supervision planning shall develop specific goal-directed objectives to be accomplished by the juvenile during the term of supervision and the strategies that the officer will use to monitor compliance and promote the accomplishments of those objectives. Supervision contacts shall be integral to implementing the overall supervision strategies, have a purpose that is directly related to case objectives and the juvenile's level and type of risk;
  - d. High risk cases require the concurrent implementation of multiple intervention strategies that apply the skills from a variety of disciplines to address the level and type of risk presented by the juvenile, build on a juvenile's strengths, and provide juveniles with incentives to change;
  - e. Document changes in a juvenile's circumstances throughout the period of probation and actively engage in assessing the impact of any changes on the level and type of supervision. Officers shall independently assess a juvenile's circumstances through field and collateral contacts at a level proportional to the issues in the individual cases;
  - f. Responses to noncompliance shall be timely, realistic and escalating; and shall include elements designed to both control and correct noncompliance; and
  - g. The intensity and frequency of supervision activities shall be reduced over time for stable, compliant juvenile's who are meeting their supervisory objectives.
3. Supervision Level I shall include:
  - a. Visual contacts. The JIPS team shall have a minimum of four visual contacts with each juvenile per week. Home contacts are required on a random and varied basis. Mandatory visual contact may be made by other probation or surveillance officers when authorized by the director. Visual contacts shall be varied and unscheduled, and include evenings, weekends, and holidays. Visual contacts with the juvenile shall continue when in out-of-home placement or detention;

- b. Employment verification. The JIPS team shall make weekly face-to-face, telephonic or written contact with the employer of an employed juvenile;
- c. School verification. The JIPS team shall make weekly contact with the school or education program staff of a juvenile for the purpose of monitoring attendance, grades, behavior, peer associations, and other factors relating to the juvenile's progress;
- d. Parental involvement. The JIPS team shall contact the parents or legal guardians of each juvenile at least once per week to discuss the juvenile's progress and behavior in the home and community, and shall make documented efforts to involve the parents or guardians in the juvenile's treatment and rehabilitation;
- e. Curfew. The JIPS team shall establish curfews for each juvenile placed on JIPS and shall provide appropriate supervision to ensure compliance;
- f. Community restitution. The JIPS team shall maintain community restitution contacts with each juvenile performing work to ensure compliance;
- g. Alcohol and drug testing. The JIPS team shall administer alcohol and drug testing according to the policy and procedures of the juvenile court;
- h. Treatment and counseling. The JIPS team shall provide a written directive to the juvenile referring the juvenile to an appropriate service provider within 30 days of disposition as a condition of JIPS, or when a need for treatment or counseling is identified. If more than one area of treatment or counseling is identified, the JIPS team shall prioritize and address the needs with the highest priority within the prescribed time frame. The JIPS team will then address the remaining treatment or counseling areas in descending order;
- i. Investigation of referral notification. The JIPS team shall immediately contact the law enforcement officer or agency upon receipt of an referral or other contact notification to ascertain the circumstances surrounding the contact and obtain a copy of any corresponding incident report or citation. The JIPS team shall document in the case file all contacts and information received pertaining to the incident, as well as the action taken as a result of the incident;

- j. A.R.S § 8-352(E)(3) provides “Remaining at a place of residence at all times except to attend school, work or treatment, to perform community restitution or to participate in some activity, as specifically allowed in each instance by the supervising juvenile probation officer, or if in the direct company of a parent, guardian or custodian, as approved by the juvenile probation officer.” The JIPS team shall monitor and enforce approved schedules for juveniles that are meeting expected behavioral goals, scheduling requirements shall provide the juvenile a graduated reduction in structured activities to promote a successful transition to reduced supervision. Scheduled activities shall provide for pro-social opportunities “as specifically allowed in each instance by the juvenile probation officer, or if in the direct company of a parent, guardian or custodian, as approved by the juvenile probation officer.”
  - k. Development of case plans that target risk and needs areas evidenced to be significant predictors of risk to re-offend;
  - l. The use of communication techniques that engage the juvenile in their own case plan, motivation and goals;
  - m. Respond to juvenile behavior pursuant to established departmental policies on graduated responses of consequences and incentives;
  - n. Evaluation of ongoing supervision and strategies;
  - o. Responses to positive pro-social behavior pursuant to established departmental incentive policies; and
  - p. The probation officer’s recommendations for a reduction of supervision for eligible juveniles pursuant to the results of a youth assessment may be made to the court once it has been ascertained that a change in supervision level is warranted based upon the assessment and progress with established behavioral goals.
4. Supervision Level II shall include all conditions of Level I in addition to the following:
- a. Visual contacts. The JIPS team shall have a minimum of two visual contacts with each juvenile per week, with at least at least one contact occurring at the juvenile’s residence. Mandatory visual contact may be made by other probation or surveillance officers when authorized by the director. Visual contact shall be varied and unscheduled, and include evenings, weekends, and holidays. Visual contacts with the juvenile shall continue when in out-of-home placement or detention; and
  - b. Employment verification. The JIPS team shall make bi-weekly face-to-face, telephonic or written contact with the employer of an employed juvenile.
5. Supervision Level III shall include all conditions of Level I in addition to the following:

Visual contacts. The JIPS team shall have a minimum of one visual contact with each juvenile per week, with at least one visit occurring at the juvenile’s residence every other

week. Mandatory visual contact may be made by other probation or surveillance officers when authorized by the director. Visual contact shall be varied and unscheduled, and include evenings, weekends, and holidays. Visual contacts with the juvenile shall continue when in out-of-home placement or detention.

**P. Program Length.**

A juvenile shall be on intensive probation from the date ordered by the juvenile court until revoked, successfully discharged or otherwise discharged from JIPS by the court.

**Q. Required Case Records.**

1. A.R.S. § 8-353(C)(1) provides: “The juvenile intensive probation team shall ...“Secure and keep a complete identification record of each juvenile supervised by the team and a written statement of the conditions of the probation.”
2. Each JIPS team shall maintain verifiable case records for each juvenile supervised, including, but not limited to:
  - a. An individual case plan setting forth behavioral and program expectations and recommendations subject to the approval of the director;
  - b. Logs detailing the time, nature, and location of each contact related to each juvenile on JIPS;
  - c. Current photograph and profile of each juvenile on JIPS; and
  - d. Documentation regarding violation behavior, positive progress and behavioral changes while under supervision.