

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of:	)	
	)	
AMENDING ARIZONA CODE OF	)	Administrative Order
JUDICIAL ADMINISTRATION	)	No. 2016 - <u>70</u>
§ 6-302.01: JUVENILE INTENSIVE	)	(Affecting Administrative
PROBATION SUPERVISION	)	Order No. 2013-92)
EVIDENCE-BASED PRACTICES	)	
_____	)	

Pursuant to the Arizona Code of Judicial Administration § 1-201(E), the Chief Justice may adopt emergency administrative code proposals and technical changes in existing code sections by administrative order without prior distribution for comment and action by the Arizona Judicial Council.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that as a result of Senate Bill 1298, Chapter 158, which made changes in the requirements of juvenile intensive probation, Arizona Code of Judicial Administration § 6-302.01 is amended as indicated on the attached document. All other provisions of § 6-302.01 as adopted, remain unchanged and in effect.

IT IS FURTHER ORDERED that the effective date of this amendment shall be August 6, 2016.

Dated this 3rd day of August, 2016.

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SCOTT BALES  
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. through J. [No Change]**

**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~~ if approved by the court or probation officer, for not less than thirty-two hours each week throughout the term of probation:
  - (a) School.
  - (b) A ~~court-ordered~~ treatment program.
  - (c) Employment.
  - (d) Supervised community restitution work.
  - (e) An activity that improves the juvenile's prosocial skill development, including enhancing the juveniles relationship with the juvenile's family.
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. through L. [No Change]**

**M. Program Operations.**

1. [No Change]

2. Each JIPS team shall:

- a. through c. [No Change]

- 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~~ participating in one or more of the following. If approved by the court or probation officer, for not less than thirty-two hours each week.” Throughout the term of the intensive probation:

1. School.
2. A treatment program.
3. Employment.
4. A community restitution program.
5. An activity that improves the juvenile’s prosocial skill development, including enhancing the juvenile’s relationship with the juvenile’s family.

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, monitoring school attendance; and
- (3) Providing or arranging for appropriate supervision of juveniles performing community restitution work.

- e. through r. [No Change]

3. through 6. [No Change]

**N. through Q. [No Change]**