

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
PERMITTING THE EXCHANGE OF) Administrative Order
CONFIDENTIAL JOLTS DATA) No. 2018 - 89
CONCERNING DEPENDENT AND)
DELINQUENT MINORS BETWEEN)
THE ARIZONA SUPREME COURT,)
ADMINISTRATIVE OFFICE OF THE)
COURT AND THE ARIZONA)
DEPARTMENT OF CHILD SAFETY)

The Administrative Office of the Courts (AOC) maintains the Juvenile On-line Tracking System (JOLTSaz). JOLTSaz is the statewide juvenile probation case management system and repository for records kept during the time a juvenile is on probation. Fourteen of the Arizona Juvenile Courts use and provide data and information to JOLTSaz.¹ These records are the work product of juvenile probation officers and are closed from public inspection. [See Rule 123(d)(1), Rules of the Supreme Court.]

Rule 123 “govern[s] public access to the records of all courts and administrative offices of the judicial department of the State of Arizona.” [See Rule 123(a).]. This rule also contains specific authorization for employees of government agencies and private organizations serving a public purpose to be granted “such access to court records as required to serve that purpose according to this rule or as provided by any supplemental supreme court policies or court order.” [See Rule 123(c)(6).] Rule 19, Rules of Procedure of the Juvenile Court governs information kept in the legal and social files in delinquency cases and Rule 47 governs release of information in dependency cases.

The Arizona Code of Judicial Administration (ACJA) provides that custodians of court or probation records may provide case records or data to federal, state, tribal and local government agencies and private organizations, the objective of which is to serve a public purpose, such as criminal justice, child welfare, licensing, mental health treatment, or research for scholarly or governmental purposes. [See *ACJA § 1-606: Providing Case Record Access to Public Agencies or to Serve a Public Purpose.*]

The Arizona Supreme Court, AOC, and the Arizona Department of Child Safety (ADCS) desire to enter into an agreement that would allow the initial and on-going review and confirmation of identity of youth common to both systems. Confirming youth who are known to both systems will facilitate continuity of care and reduce duplication of services for youth and families. Prior

¹ ADCS has a separate agreement with Maricopa County which provides information from the Integrated Court Information System (iCIS).

to the execution of such an agreement, the AOC has requested an Administrative Order permitting the exchange of confidential information.

The above-referenced agreement is necessary because the AOC and ADCS both serve dependent and delinquent minors and deliver individualized services to youth and families in these systems. The information necessary for this agreement belongs to each of the fourteen counties and resides in JOLTSaz which is housed at the AOC. The AOC has contacted each of the fourteen presiding juvenile court judges and obtained their written agreement to share this data directly with ADCS. Copies of the signed county letters will be attached to and incorporated in the agreement between AOC and ADCS.

THEREFORE, pursuant to Article VI, Section 3 and 5, of the Arizona Constitution, Rule 19 and 47, Rules of Procedure for the Juvenile Court, and Rule 123, Rules of the Supreme Court,

IT IS ORDERED that the Juvenile Justice Services Division (JJSD) of the AOC is authorized to exchange data identified in the agreement with ADCS titled, "Information Sharing Agreement". JJSD will provide data from JOLTSaz, which contains juvenile justice information from fourteen Arizona counties as described in Exhibit A.

IT IS FURTHER ORDERED that as a condition of receiving JOLTSaz data under this Order, ADCS shall secure from public access all data provided by the AOC. ADCS shall use this data only for identification of children common to both systems pursuant to the data exchange agreement and shall not release any JOLTSaz data.

Dated this 19th day of September, 2018.

SCOTT BALES
Chief Justice

Exhibit A

Contents of Report for Information Sharing Agreement between the Arizona Supreme Court, Administrative Office of the Courts and Arizona Department of Child Safety

- a. PO Name
- b. SWID
- c. Juvenile Name
- d. Current Detention Start Date
- e. Current Juvenile Status
- f. Current Supervision Type
- g. Most Recent Open Delinquency Complaint Date
- h. Most Recent Open Delinquency Petition Date
- i. Gender
- j. Ethnicity
- k. Race
- l. Age
- m. Active Warrant
- n. Next Court Hearing Date
- o. Dually Adjudicated Indicator
- p. Dependency Current Phase
- q. Dependency Petition Start Date