



Administrative Office of the Courts
 Juvenile Justice Services Division
 Contract Years 2019-2024
 Juvenile Competency Restoration Services
 Service Codes: 260 and 180

Juvenile Competency Restoration Services Service Codes 260 and 180	
Category	Standard Services (Form F-4)
Setting	Community, Out-of- Home, Detention
Targeted Population	Juveniles who have been legally determined by the referring Court to be mentally incompetent to continue with felony and/or misdemeanor court proceedings, but for whom restoration to competency may be possible
Facility License	Facility licensure is not required as long as Competency Restoration services are the only service(s) being provided.
Service Description	<p>Juvenile Competency Restoration Services provide educational services for juveniles who have been legally determined to be mentally incompetent to continue with felony and / or misdemeanor court proceedings.</p> <p>“Incompetent means a juvenile who does not have sufficient present ability to consult with the juvenile's lawyer with a reasonable degree of rational understanding or who does not have a rational and factual understanding of the proceedings against the juvenile. Age alone does not render a person incompetent” per ARS 8-291 (2).</p> <p>This service does not stand alone but occurs in ongoing collaboration with the Juvenile Competency Mental Health Expert. Restoration Specialists collaborate with the Juvenile Competency Mental Health Expert to create an initial individualized education plan for the juvenile with the goal of restoration to / achievement of competency to participate in court proceedings. Following the Restoration Education Plan, the Restoration Specialist provides educational services to the referred juvenile and participates in ongoing consultation with the identified Juvenile Competency Mental Health Expert, throughout the competency restoration process.</p> <p>The Restoration Specialist documents the juvenile’s progress and response to the educational interventions, for the purpose of consultation with the Juvenile Competency Mental Health Expert but does not provide reports or updates to the Juvenile Court, as the Restoration Specialist is not qualified to determine juvenile competency.</p>



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<p>Service Tasks</p>	<p>Contract requirements set forth in the AOC <u>Standard Terms & Conditions</u> are applicable. Additionally:</p> <p>Restoration Specialist Consultation with the Juvenile Competency Mental Health Expert (MHE):</p> <ol style="list-style-type: none">1. Participate in an initial consultation with the Juvenile Competency MHE who is identified by the referring probation department (contact the referring probation department if the MHE has not yet been in contact with you).2. Review with the MHE the initial Court competency evaluator’s report to the Court, which determined the need for Restoration services, and which outlines the initial mental competency findings and recommendations. (The initial evaluator’s competency report will have been sent to the MHE for review).<ol style="list-style-type: none">a. In the event that the initial evaluator’s competency report is inadequate to develop a Restoration Plan, this discussion may determine the need for additional information to be obtained.b. In the event that the initial Court evaluator’s competency report includes recommendations for services which are not included within this <i>Service Specification</i>, the MHE will notify the referring Court by filing a letter with the Clerk of the Superior Court.3. Review and confirm with the MHE the following: The initial findings; the juvenile competency concepts, and areas to be assessed related to competency for the juvenile; this state’s competency standards and statutes; and guidelines for the educational components of mental competency restoration, and how they apply to the juvenile. This may include a review of the “Juvenile Mental Competency Restoration” handbook published by the Arizona Supreme Court, Administrative Office of the Courts (ASC/AOC), which is intended as a guide to the Restoration Specialist teaching these concepts.4. Participate in consultation with the MHE to develop a Restoration Education Plan for the juvenile, within three (3) business days following the initial meeting with the juvenile, as follows:<ol style="list-style-type: none">a. The Restoration Plan should specifically detail all aspects of competency which must be addressed in Restoration services, as outlined in the findings of the initial evaluator’s competency report; methods of instruction appropriate for the juvenile; all additional services beyond those of the restoration education program (if any) needed by the juvenile to restore the juvenile to competency; and should list what recommendations were made by the MHE in the notification to the Court; individualized methods of instruction for the juvenile should be outlined in the plan.
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	<ul style="list-style-type: none">b. The Restoration Plan itself is retained in the Restoration Specialist’s file for the juvenile, to be used as an ongoing guide for restoration servicesc. The Restoration Plan and modifications to the Restoration Plan do not require participation and signatures of the parent/guardian or the juvenile’s probation officer, but must be signed by the MHE, the Restoration Specialist, and the juvenile receiving services. <p>5. Contact the family of the juvenile to schedule restoration education sessions. When the juvenile does not attend the scheduled appointments or cannot be located to provide restoration services or clinical interviews, the Contractor shall make at least three (3) documented attempts to locate the juvenile, and two (2) documented efforts to contact the juvenile’s assigned probation officer to determine the juvenile’s whereabouts. When these attempts have proved unsuccessful, the Restoration Specialist shall notify the MHE to submit a letter to the referring Superior Court advising that the juvenile cannot be located to provide services.</p> <p>6. Provide restoration / educational services twice weekly to the juvenile utilizing the “Juvenile Competency Training Handbook” published by the AOC and provided to all Restoration Specialists as a guide to the restoration process and concepts. This handbook is intended as a guide for the Specialist and shall not be used as a homework manual. Any modification to weekly restoration services must be pre-approved by the probation department.</p> <p>7. Discussing the alleged offense or the pending case with the juvenile is prohibited. In accordance with ARS 8-291.06 “any statement that a juvenile makes during an examination, any statement that a juvenile makes to restoration personnel during the course and scope of a restoration program or any evidence resulting from that statement is not subject to disclosure pursuant to section 36-509.”</p> <p>8. Engage in ongoing consultation with the MHE throughout the restoration services. The Restoration Specialist must review case progress with the MHE at least once every fourteen (14) calendar days throughout the service provision period, or more often as needed. Such consultation may occur in person or telephonically, and may be accompanied or confirmed by email, but the consultation cannot be completed solely via email correspondence. Discussion shall include the juvenile’s progress, barriers to progress, and the ongoing determination of whether or not there is a substantial probability that the juvenile will regain/achieve</p>
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	<p>competency (if contact with the MHE does not occur as required, please contact the referring probation department for resolution).</p> <ol style="list-style-type: none"> 9. Documentation of initial and all ongoing consultation is the responsibility of the MHE and Restoration Specialist and shall be retained in their respective juvenile’s file. 10. Modify the training material and instruction methods as necessary to meet the individualized needs for the juvenile, and to consider their cultural, educational, developmental, behavioral and mental health needs. 11. The requirements of Paragraphs 45 (IP), 46 (IP), 48 (FP), 49 (FP), and 61 (b) of the AOC <u>Standard Terms & Conditions</u> are not applicable to this service. <p>SPECIAL CONDITIONS:</p> <p>Confidentiality of Records</p> <p>The AOC <u>Standard Terms & Conditions</u> are modified for this service, in accordance with A.R.S. 8-291.07 as follows:</p> <ol style="list-style-type: none"> 1. All records relating to Juvenile Competency Restoration shall be segregated from other client or juvenile records (even if pertaining to the same juvenile) and marked as Confidential. 2. Release of these records is prohibited, except as provided for in this AOC <i>Service Specification</i>, as described above, or upon direct written order of the Superior Court. 3. Staff of ASC/AOC may review the records for contract compliance. However, staff of the Juvenile Court are prohibited from examining, reviewing, or copying these records for the purpose of probation supervision, unless upon direct written order of the superior court. 4. Dissemination of Juvenile Competency Reports is solely the responsibility of the MHE, not of the Restoration Specialist. The Restoration Specialist is prohibited from disseminating any progress notes or reporting on the juvenile’s progress in services.
<p>Educational/Professional Consultation</p>	<ul style="list-style-type: none"> • Participate in educational consultation with the identified Juvenile Competency Mental Health Expert. Educational consultation provided by the Restoration Specialist is only applicable to the time spent in initial and ongoing collaboration with the Mental Health Expert. Court Testimony is not applicable for the Restoration Specialist.



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	<ul style="list-style-type: none"> • Provide educational consultation service to the MHE which has been authorized through a Service Authorization Form (SAF); billed in fifteen (15) minute increments under the appropriate service code; and may only be billed in conjunction with this contracted service • Professional consultation shall be documented in the appropriate juvenile file and shall include a summary of educational consultation provided; location at which consultation occurred; persons participating in the consultation; date of consultation; duration of consultation; and name, dated signature, degree and title of person providing consultation. Consultation shall not be provided in lieu of a contracted or non-contracted service. Consultation is not case management
Service Frequency	Two (2) times weekly
Service Duration	<ul style="list-style-type: none"> • Service duration is driven by ARS 8-291.09 or at the directive of the referring Court; typically, service continues until the juvenile has regained competency or upon determination there is no substantial probability that the juvenile will regain competency
Staffing	<ul style="list-style-type: none"> • At a minimum, Juvenile Competency Restoration Services must be provided by a person who holds a master’s degree in Education or in a Human Services field • Independently licensed persons may provide the restoration services <ul style="list-style-type: none"> ○ If not independently licensed, the Restoration Specialist must/shall hold current Certification by the Arizona Department of Education to teach elementary, middle or high school (K-12) and have specific relevant training and expertise to conduct Juvenile Competency Restoration services. ○ An individual may also qualify who holds a master’s degree and/or was certified in the past by the Arizona Department of Education, if this individual is employed by a licensed behavioral health agency, and is receiving supervision from an independently licensed person. Experience teaching juvenile with special needs at-risk learners is preferred • Restoration Specialist must be able to demonstrate knowledge of Arizona’s juvenile competency standards and statutes and be able to demonstrate familiarity with the requirements of AOC Service Specification for <i>Juvenile Competency Restoration Services / Mental Health Expert</i> • Restoration Specialist must be proficient in the juvenile’s primary language or utilize a certified interpreter or language line, as provided in the AOC <u>Standard Terms & Conditions</u>, Appendix A



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	<ul style="list-style-type: none"> Restoration Specialist must participate in any training provided by the AOC related to juvenile competency
Staff to Client Ratio	<ul style="list-style-type: none"> One Restoration Specialist to one juvenile Group sessions are prohibited
Hours of Operation	<ul style="list-style-type: none"> Day, evening hours and may include weekends Ideally, the hours of service should not conflict with the juvenile’s academic day
Desired Service Outcomes	<ul style="list-style-type: none"> Documentation of restoration/education services provided to the referred juvenile Documentation of consultation between the Restoration Specialist and the MHE Adequate documentation provided to the MHE to support the MHE’s recommendation to the Court that the juvenile has been restored to or has achieved competency <i>OR</i> that that there is no substantial probability that the juvenile will regain competency
Unit of Service	<ul style="list-style-type: none"> One unit equals one hour Restoration Plan & Individual Restoration Services = Per client hour Educational/Professional Consultation = Per 15-minute increment and only as authorized on SAF

The following documentation and information must be submitted with the service specification:

- If applicable, identify facility name, address and ADHS/DCS license number from which services will be provided. If more than one facility, **each** facility must be proposed independently in the completed service specification.

Facility Name	Facility Address	ADHS or DCS License Number
1.		
2.		
3.		
4.		



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Proposed Services & Rates:

<u>Office Based:</u>	<u>Rate:</u>
AOC does not wish to pay more than the stated rate(s) below:	
Restoration Plan & Educational Services (sc 260) In-County	\$ <u>100.00</u> / hour
Other Proposed Service Rate: Restoration Plan & Educational Services (sc 260) In-County	\$ _____ / hour
Restoration Plan & Educational Services (sc 260) Out-of-County	\$ <u>150.00</u> / hour
Other Proposed Service Rate: Restoration Plan & Educational Services (sc 260) Out-of-County	\$ _____ / hour
Educational/Professional Consultation (sc 180)	\$ <u>25.00</u> / 15 minutes
Other Proposed Service Rate: Educational/Professional Consultation (sc 180)	\$ _____ / 15 minutes

Other agreement:

All contracts and services must be in compliance with the AOC Standard Terms & Conditions, applicable service specifications & special contract conditions.

By signing below, I confirm that I have read and fully understand the requirements necessary to provide the Juvenile Competency Restoration service, and I agree to all requirements, service tasks, and contract rate(s):

Contractor Signature / Date



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AOC USE ONLY: DO NOT FILL IN BEYOND THIS LINE

Contracted Services & Rates:

Juvenile Competency Restoration Services:		
Office Based:		Contracted Rate:
Restoration Plan & Educational Services (sc 260) In-County		\$_____ / hour
Restoration Plan & Educational Services (sc 260) Out-of-County		\$_____ / hour
Educational/Professional Consultation (sc 180)		\$_____ / 15 minutes

Other agreement:

All contracts and services must be in compliance with the AOC Standard Terms & Conditions, applicable service specifications & special contract conditions.

By signing below, I confirm that I have read and fully understand the requirements necessary to provide the Juvenile Competency Restoration service, and I agree to all requirements, service tasks, and contract rate(s):

Contractor Signature / Date

AOC Signature / Date